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AUTHENTICITY OF THE FIRST GOSPEL.[1]

THE recovery, recently, at Oxyrhynchus, in Egypt, of a manuscript fragment representing the introductory portion of St. Matthew's Gospel has become additional evidence of the authenticity of that Gospel; for we have here a text dating back in all probability to the first half of the second century and agreeing substantially with our Vulgate version. Under the circumstances it will be of special interest to students of the New Testament to review in detail the arguments upon which is based the claim of authenticity for the First Gospel.

TESTIMONY OF CHRISTIAN ANTIQUITY.

Christian antiquity is unanimous in maintaining that St. Matthew wrote a gospel in Hebrew. The testimony of St. Papias, St. Irenæus, St. Pantænus, Origen, Eusebius, St. Epiphanius, St. Jerome, and of many other Fathers and ecclesiastical writers bears out this statement. Let us briefly examine these witnesses in detail.

1 [The substance of this paper will form part of the introduction to the explanatory and critical Commentary of the Gospel of St. Matthew by Father A. Maas, S. J., now in course of publication (B. Herder, St. Louis, Mo), to the text of which we briefly referred in the last number of the REVIEW. We understand that the work will be ready about the middle of February. *Editor's Note.*]

St. Papias, Bishop of Hieropolis in Phrygia and friend of St. Polycarp, wrote about the middle of the second century. He testifies that "Matthew composed the oracles in Hebrew, and each one interpreted them as he was able."[1] At the time of Papias, therefore, the Gospel of St. Matthew was well known, the writer merely intending to relate a circumstance connected with its origin. The importance of this testimony is emphasized by the controversy as to its precise meaning on the part of many recent writers.[2] The main point of the dispute, however, concerns the meaning of the word "oracles," and is not influenced by the recently discovered *Λόγια Ιησοῦ*.[3]

Among the early writers who understood the word "oracles" (*τὰ λόγια*) in the sense of gospel, we have Eusebius who, after mentioning St. Mark, "who wrote the gospel," proceeds to speak of St. Matthew, who "composed the oracles." To evade this argument, the opponents contend that Eusebius did not fully understand the words of St. Papias.

In the text of Papias himself, "oracles" (*τὰ λόγια*) may, at least, signify "gospel." Speaking of St. Mark he says that the evangelist recorded "what had been said and done by Christ," and what he had heard from St. Peter, and not "as if he were composing an orderly account of the oracles (*λογίων*) of the Lord." The "oracles" are therefore, in the language of St. Papias, equivalent to the recorded "words and deeds" of Christ. The very title of his work confirms this meaning of *τὰ λόγια*; for though the writer does not confine himself to an explanation of the words and instructions of Jesus, he entitles his work "an explanation of the oracles of the Lord" (*λογίων κυριακῶν ἐξήγησις*).

1 Cf. Eus. H. E. iii. 39; Funk, Patres apostol. ii. pp. 276 ff.

2 Cf. Schleiermacher, Ueber die Zeugnisse des Papias, Studien u. Krit. 1832, pp. 735 ff.; Lachmann, De ordine narration. in evang. synopt., Stud. u. Krit. 1835, pp. 577 ff.; Credner, Einleitung, pp. 201 ff.; Réville, Etudes crit. sur l'Evangile selon Saint Matthieu, Leiden, 1862; Renan, Vie de Jésus, Introd. p. xix., ed. xviii. p. lii.

3 Grenfell and Hunt, London.

This meaning of "oracles" (λόγια) is not unknown in other writers: in Rom. iii. 2 it applies to the whole of the Old Testament; in Heb. v. 12 to the whole body of Christ's doctrine; in Fl. Joseph.[1] λόγια is equivalent to τὰ ἱερὰ γράμματα; St. Iren.[2] uses τὰ λόγια τοῦ Κυρίου of the gospel; other instances of a similar meaning of λόγια have been collected by Funk[3] and Schanz[4].

Finally, λόγια in the language of Papias must mean "gospel" for the following reasons: α. no writing of St. Matthew except the first Gospel was generally known in the second century; β. there is no record of a work of the evangelist that contained the Lord's words only; γ. Eusebius diligently collected all that had been written about Jesus by the apostles and disciples, but found no trace of λόγια κυριακά outside the gospel; δ. all antiquity could not have remained ignorant of such an important work, if it had existed; ε. the first Gospel contains so many discourses and instructions of the Lord that it may well be called τὰ λόγια κυριακά.[5]

In the next place we have the testimony of St. Irenæus, Bishop of Lyons in Gaul (c. 181 A. D.), who represents not only the Gallican Church, but also that of Asia Minor, where he had been brought up, and where the civilization and Christianity of Gaul have their source. Lipsius in his *Dict. of Christ. Biograph.*, gives 130 A. D. as the probable date of the Saint's birth, and 180–188 A. D. as the probable period of his work against heresies. At any rate, Irenæus had been very familiar with St. Polycarp, the contemporary and disciple of St. John, so that his testimony is only one link removed from apostolic authority. Now this venerable witness testifies[6]: "Matthew among the Hebrews published a Gospel in their own dialect when Peter and Paul were preaching in Rome and founding the church." In another

1 Bell. Jud. VI. v. 4. 2 C. hær. procem.

3 Patr. apost. ii. p. 280. 4 Matthäus, pp. 27–31.

5 Cf. Hilgenfeld, Einl. p. 456; Lightfoot, *Contemp. Rev.* Aug. 1867, pp. 405 ff.; Aug. 1875, pp. 399 ff., 410 f.

6 Hær. iii. 1; Eus. H. E. v. 8.

passage he confirms this testimony[1]: "The Gospel according to Matthew was written to the Jews." The exception that Irenæus may have drawn his information from the writings of St. Papias, which he knew and valued, disregards the chronological notice in the passage of the former writer, not found in the latter. The language of Irenæus supposes also the general acceptance of the Gospel according to St. Matthew.

The next clear testimony in favor of St. Matthew's authorship of a gospel in Hebrew is found in the history of Pantaenus as related by Eusebius.[2] Pantænus, president of the catechetical school of Alexandria in the time of Commodus,[3] penetrated before his appointment to that office, towards the end of the second century, "even to the Indians; and it is said that he found that the Gospel according to Matthew had anticipated his arrival there among some who were acquainted with Christ, to whom St. Bartholomew, one of the Apostles, had preached, and given on his departure (καταλειψαι) the writing of Matthew in Hebrew letters." St. Jerome[4] adds that he took this Gospel with him to Alexandria.[5] Credner's objection,[6] that this Hebrew document is nowhere said to be the original text (*Urtext*) of our first Gospel, is valid only if the author's critical hypothesis be accepted as correct.[7] A second argument of our opponents, based on Pantænus' ignorance of Hebrew, assumes this fact without proof, and ignores the fact that the character of the gospel in question could have easily been learnt from others.

Another important witness is Origen (186–253 A. D.) who followed Clement in the Alexandrian Church. The Alexandrian school enjoyed natural advantages of position, and the conspicuous eminence of its great teachers during the third century gave it exceptional importance. Now Origen[8] tes-

1 Fragm. xxix. 2 H. E. v. 10; Jer. De vir. ill. 6.

3 Cf. Eus. H. E. v. 9, 10. 4 De vir. ill. 6.

5 Cf. Westcott, Canon of the N. T. sixth ed. p. 83.

6 Einl. p. 90. 7 Cf. Cornely, Introd. iii. p. 26, n. 10.

8 Comment. in Matt. i.; cf. Eus. H. E. vi. 25.

tifies: "As I have learned by tradition concerning the four Gospels, which alone are received by the Church of God under heaven without dispute, the first was written by St. Matthew, once a tax-gatherer, afterwards an apostle of Jesus Christ, who published it for the benefit of the Jewish converts, composed in the Hebrew language." The expression "tradition" does not imply a doubt on the part of Origen, and there is no ground for tracing his testimony back to Papias.[1]

From Africa we may return to Syria, where Eusebius (270–340 A. D.), the friend of Pamphilus and Bishop of Cæsarea, exerted his powerful influence while the cruel persecution of Diocletian was raging. This writer testifies:[2] "Matthew, having first preached to the Hebrews, delivered to them, when he was preparing to depart for other countries, his Gospel composed in their native language." According to Westcott,[3] "the great fault of Eusebius is a want of independent judgment"; but this reputed fault really increases the value of the writer's testimony in a matter of ecclesiastical tradition.

The fact that St. Matthew wrote a gospel in Hebrew is also maintained by St. Cyril (315–386 A. D.), the illustrious catechist and Bishop of Jerusalem;[4] St. Epiphanius (d. 403 A. D.), Bishop of Constantia in Cyprus and contemporary of St. Cyril;[5] St. Jerome, who mentions the Hebrew original of St. Matthew's Gospel in seven places at least;[6] St. Chrysostom, St. Augustine, and other writers of less authority and more recent date.

If it be asked whether the Hebrew of the first Gospel was the old classical language, or the Aramaic dialect commonly spoken in Palestine at the time of Jesus Christ, opinions are divided. Schegg[7] and Kaulen[8] contend that the evangelist

1 Cf. Michaelis, iii. pt. i. p. 127. 2 Eus. H. E. iii. 24.

3 Canon of the N. T. sixth ed. p. 415. 4 Catech. 14, 15.

5 Hær. li. 5. 6 De vir. ill. 3; in Matt. procemium; ep. 20; etc.

7 Evangelium nach Matt., München, 1863, i. p. 13 ff.

8 Einleit. Freib. 1890, p. 389.

wrote in the pure Hebrew of the Old Testament for these reasons: α. The prophetical books of Aggeus, Zacharias, and Malachias, as well as Ecclesiasticus and the Pirquê Aboth, show that classical Hebrew was still written after the exile. β. St. Jerome[1] puts a Hebrew expression in the mouth of the first evangelist. γ. A book in which quotations from the Old Testament are of frequent occurrence, and which is written by a Jew for Jews, must by the nature of the case be composed in classical Hebrew. But the common opinion holds that St. Matthew employed the dialect of his time and his country in the first Gospel, because α. The author was not a scribe learned in the accomplishments of his age. β. His readers were the common people who did not understand the Hebrew books of the Old Testament read in their synagogues without an interpreter. γ. The expressions of the Fathers do not necessarily refer to classical Hebrew.

IDENTICAL WITH OUR PRESENT GOSPEL.

That the Hebrew Gospel of St. Matthew is identical with our present first Gospel may be proved by internal and external evidence.

Internal evidence.

a. Eusebius[2] states the canon that the evangelists commonly relate of themselves what humbles them, and leave the record of their glory to others. Thus St. Mark, the writer of St. Peter's oral Gospel, narrates the apostle's sin and penance, but not his own prerogatives; thus, too, does St. John conceal his own privileged position under the humble words "the disciple whom Jesus loved." Now in the same manner do the second and third evangelist's place Matthew before Thomas, and conceal his humble condition before his call, while our first Gospel places Matthew after Thomas, and calls him the publican;[3] again, the third Gospel knows that Matthew invited Jesus to a great feast, which our first

1 Ep. 20. 2 Demonstr. evangel. iii. v. 8.

3 Cf. Mk. iii. 18; Lk. vi. 15; Mt. x. 3.

Gospel mentions only by way of remark, and does not attribute to the convert's generosity.[1] These characteristics naturally point to Matthew as the author of our first Gospel.

Furthermore our first Gospel supposes in its readers a knowledge of the religious, local, and social conditions of the Jews,[2] so that it must have been written for Jews, like the Gospel composed by St. Matthew. The Gospel supposes that the reader is well acquainted with the Old Testament: cf. ii. 4, where the Messias is implicitly identified with the king of the Jews.[3] The Gospel supposes also a knowledge of the religious customs of the Jews: of the Sabbath[4], of fasting[5], of Levitical purity[6], of the Jewish feasts[7], of the manner of blessing[8], of the gift imposed by Moses[9]. Again, the Gospel supposes a knowledge of the daily life of the Hebrews: of their weddings, ix. 15; xxv. 1 ff.; of their mourning, ix. 23; of their proselytism, xxiii. 14; of the money-changing in the temple, xxi. 12; of many other minutiæ, v. 20; vi. 2, 5, 16; xi. 16, 17; xxiii. 23; etc. Next, the first Gospel supposes an acquaintance with many localities in Palestine: e. g. Bethlehem and Rama, ii. 16, 18; the desert of Judea, iii. 1; the land of Zabulon and Nephtali, iv. 13–16; the land of the Gerasenes, viii. 28, cf. Lk. viii. 26; Bethsaida and Corozain, xi. 21; the different nationalities around Tyre and Sidon, xv. 21 ff.; the site of the temple and of the Mount of Olives, xxiv. 3, cf. Mk. xiii. 3. Finally, the Gospel supposes a knowledge of Palestinian history: of Herod and Archelaus, ii. 1, 22; of the tetrarch Herod, xiv. 3, 4: of the

1 Cf. Lk. v. 29 ff.

2 Cf. Nippel, Matthäus-Evangelium, Wien, 1872, pp. 2–26; Österreich. Vierteljahrschr. für Theol. 1871, pp. 229 ff.; 331 ff.

3 See also vi. 29; x. 15; xi. 3, 14, 21–24; xii. 39–42; xvi. 4; xxii. 2, 3, 35; xxiv. 37–39.

4 Compare Mt. iv. 23 with Mk. i. 21; Mt. viii. 16 with Mk. i. 32; Mt. xii. 11, 12; xiii. 43 with Mk. vi. 2; Mt. xxiv. 20, 21 with Mk. xiii. 18.

5 Cf. Mt. xi. 14.

6 Compare Mt. xv. 1, 2 with Mk. vii. 1–5.

7 Cf. Mt. xxvi. 2; xxvii. 62; xxviii. 1.

8 Compare Mt. xi. 15 with Mk. x. 16.

9 Compare Mt. viii. 4 with Mk. i. 44.

building of the temple, xxiv. 2; cf. Jos. Antiq. XV. xi. 3; of Zacharias, the son of Barachias, xxiii. 35; of the robberies of Barabbas, xxvii. 16; cf. Mk. xv. 7; Lk. xxiii. 19. Taken singly, these details would have little value, but taken collectively, they force us to infer that the first Gospel was written to the Hebrews.

The identity of our first Gospel with the Hebrew Gospel of St. Matthew follows also from the identity of object in both; for our first Gospel proves the Messiasship of Jesus, and solves the difficulties resulting from his rejection by the Hebrew nation, two points that must have held the most prominent place in St. Matthew's Gospel.

External Evidence.

From the earliest times our first Gospel has been quoted as Sacred Scripture. To appreciate the force of the following quotations we must remember that Scripture passages are commonly introduced by the formulæ[1]: "it is written" (γέγραπται, Mt. iv. 4, γεγραμμένον ἐστίν, John ii. 17); or "Scripture says" (ἡ γραφὴ λέγει, Rom. iv. 3; or ἡ γραφὴ εἶπεν, John vii. 42); or again "he [or it] says" (λέγει, Eph. iv. 8; φησίν, 1. Cor. vi. 16; Heb. viii. 5); or even by a simple "for" (γάρ, Rom. x. 13; 1. Cor. x. 26) Since, then, the following patristic quotations are introduced by one or another of these consecrated formulæ, they belong according to the mind of the authors to the inspired books of Scripture.

The Epistle of Barnabas, which if not written by the apostle, is owned on all hands to be a writing of great antiquity, dating from the end of the first century or the beginning of the second, contains the passage (iv. 14): προσέχωμεν μήποτε, ὡς γέγραπται, πολλοὶ κλητοί, ὀλίγοι δὲ ἐκλεκτοὶ εὑρεθῶμεν, i. e., "let us take heed lest, as it is written, we be found, many called but few chosen"[2] Before the original Greek of the epistle was found, critics claimed that the Latin text had interpolated the words "sicut scriptum est."

1 Cf. Kaulen, Einl. 1890, p. 396.

2 Mt. xxii. 14; cf. xx. 16.

Hilgenfeld[1] went so far as to admit that the Greek text contained the formula in some way, but it must be something like "as Jesus says." When the Greek text came to light with the newly discovered Sinaitic manuscript, it contained the fatal words "as it is written" ὡς γέγραπται. The author of *Supernatural Religion*[2] has arranged the various answers of the critics in this emergency in systematic form, as if they all proceeded from one source, and were not the piecemeal subterfuges of a number of writers.

"The generality of competent and impartial critics are agreed that it is impossible to entertain the idea that one of our Gospels could have held the rank of Holy Scripture at the date of this epistle, seeing that, for more than half a century after, the sharpest line was drawn between the writings of the Old Testament and of the New, and the former alone quoted as, or accorded the consideration of, 'Holy Scripture.'" Lightfoot[3] answers the foregoing thus: "The only ground for refusing to accept St. Matthew as the source of these two quotations which are found there (in the Epistle of Barnabas) is the assumption that St. Matthew could not at this early period be regarded as Scripture. In other words, it is a petitio principii." The sharp line of distinction between the writings of the Old Testament and of the New was drawn not only half a century after the time of St. Barnabas, but is drawn even now without implying a denial of the inspiration of the New Testament.

"It is impossible," adds the author of *Supernatural Religion*, "that if the author of the Epistle of Barnabas was acquainted with any of our Gospels, and considered it an inspired and canonical work, he could have neglected it in such a manner." Instead of repeating this difficulty, the writer might have referred us to its answer in Westcott's *Canon of the New Testament*:[4] "That they (the apostolic Fathers) do not appeal to the apostolic writings more frequently and

1 Die apostol. Väter, 1853, p. 48. 2 N. Y. 1879, sixth ed. pp. 215 ff.

3 *Essays on the work entitled 'Supernatural Religion,'* London, 1889, p. 177.

4 Sixth ed., p. 47.

more distinctly springs from the very nature of their position. Those who had heard the living voice of apostles were unlikely to appeal to their written words. We have an instinct which always makes us prefer any personal connection to the more remote relationship of books."

"In the very same passage," the author of *Supernatural Religion* continues, "in which the formula ('as it is written') is used in connection with the passage we are considering, it is also employed to introduce a quotation from the Book of Enoch . . . and elsewhere he quotes from another apocryphal book as one of the prophets. . . . He also quotes (c. vi.) the apocryphal Book of Wisdom as Holy Scripture, and in like manner several other unknown works. When it is remembered that the Epistle of Clement to the Corinthians, the Pastor of Hermas, the Epistle of Barnabas itself, and many other apocryphal works have been quoted by the Fathers as Holy Scripture, the distinctive value of such an expression may be understood." Still, the author of *Supernatural Religion* does not understand it; all the writings mentioned, from the Book of Enoch down to the "many other apocryphal works," were quoted by the Fathers as Holy Scripture, because they really, though erroneously, if we except the Book of Wisdom, considered these writings as Holy Scripture. St. Barnabas, therefore, regarded the Gospel of St. Matthew as belonging to the inspired writings.

The statement of *Supernatural Religion* that the testimony of the Epistle of Barnabas expresses only the author's view of the first Gospel, and not the tradition of the Church, is equally unfounded. If the author were aware that his phrase "as it is written" would not be received by his readers as the opinion of the Church, his argument would amount to a mere literary browbeating.

The remark of the author of *Supernatural Religion* concerning the spuriousness of Mt. xx. 16, quoted in the Epistle of Barnabas, is wholly irrelevant, since the oldest MSS., the different versions, and the best editions have the words in Mt. xxii. 14, so that the argument remains intact even if our opponent's contention concerning Mt. xx. 16 be granted.

Next it is suggested in *Supernatural Religion* that in the Epistle of Barnabas we have a quotation from 4 Esdr. viii. 3; but here we read, "There be many created, but few shall be saved," instead of "many are called, but few chosen." Besides, it is uncertain whether the fourth Book of Esdras is not later than the first Gospel.[1] Again, it is suggested that the writer of the Epistle of Barnabas may quote from an unknown apocryphal source, or that he may have used the formula "as it is written" through a mere lapse of memory; but the substitution of conjecture for fact and testimony may amuse, but cannot convince.

In the same Epistle of Barnabas (v. 9) we find another phrase that may have been taken from the first Gospel: ὅτε δὲ τοὺς ἰδίους ἀποστόλους τοὺς μέλλοντας κηρύσσειν τὸ εὐαγγέλιον αὐτοῦ ἐξελέξατο, ὄντας ὑπὲρ πᾶσαν ἁμαρτίαν ἀνομωτέρους, ἵνα δείξῃ, ὅτι οὐκ ἦλθε καλέσαι δικαίους, ἀλλὰ ἁμαρτωλοὺς τότε ἐφανέρωσεν ἑαυτὸν εἶναι υἱὸν θεοῦ, or, "but when he selected his own apostles who should preach his Gospel, who were sinners above all sin, in order that he might show that he came to call not the righteous, but sinners, then he manifested himself to be the Son of God." This passage therefore embodies Mt. ix. 13: "I am not come to call the just, but sinners." Without following all the subterfuges of the critics, we indicate their main exceptions against this argument: First, in the received Greek text of the first Gospel, the phrase εἰς μετάνοιαν, "to repentance," is interpolated after "but sinners;" why should not, then, the whole passage be interpolated? But this conjecture applies with equal right to the context of every interpolated passage. Secondly, Origen quotes the text of Barnabas without the words "in order that he might show that he came not to call the righteous, but sinners." The unsuitableness of the omitted words in Origen's context does not trouble the critics. Thirdly, the words may have been quoted from an earlier source than the first Gospel, from the Spruchsammlung, for instance; but a mere "may" proves

1 Cf. Schürer, *The Jewish People in the Time of Jesus Christ*, div. ii. vol. iii. p. 108.

nothing against the evident agreement of the epistle of Barnabas and the first Gospel in the passage in question.

Besides the foregoing coincidences, we have two more parallels between the Epistle of Barnabas and the first Gospel;[1] Barn. iv. 13 and Mt. xxv. 5 ff.; Barn. v. 12 and Mt. xxvi. 31. Our opponents endeavor to weaken this testimony by referring to two sayings of the Lord quoted by Barnabas that are not found in the Gospels. But the first of these texts (Barn. iv. 9, 10), "sicut dicit filius Dei: resistamus omni iniquitati et odio habeamus eam," has been eliminated by the Greek Sinaitic text of the Epistle, which reads ὡς πρέπει υἱοῖς θεοῦ, "sicut decet filios Dei." The second (vii. 11) οὕτω, φησί, οἱ θέλοντές με ἰδεῖν, καὶ ἅψασθαί μου τῆς βασιλείας ὀφείλουσι θλιβέντες καὶ παθόντες λαβεῖν με, can be safely regarded as a reminiscence of Mt. xvi. 24 and Acts xiv. 22.

In the epistle of St. Clement of Rome[2] we may compare c. xiii. with Mt. v. 7; vi. 14; vii. 2, 12; and c. xlvi with Mt. xviii. 6, 7; xxvi. 24. The markedly symmetrical form of the first parallel passage indicates a free and yet deliberate handling of the contents of our first Gospel,[3] while the words of the second parallel may at least be a recollection of the Gospel. The introductory remark of Clement's first passage, "remembering the words of the Lord Jesus," does not necessarily imply a well-known record, nor does it fully agree with Acts. xx. 35, "you ought . . . to remember the word of the Lord Jesus," nor again does this latter passage suppose a well-known record. Finally, the difficult reference in Clem. xliv. may have its source in Mt. xxiii. 8 ff.; xx. 20 ff.[4]

In the epistles of St. Ignatius (c. 117 A. D.) we find a number of coincidences with the first Gospel rather than direct quotations from it: compare ad Ephes. v. 2 and Mt.

1 Cf. Hefele, Das Sendschreiben des Apostels Barnabas, p. 233.

2 A. D. 68–70, or c. 95, or 85–115, or 93–97; cf. Harn. et Gehb. Patr. apost. proleg. lix. f.; Harn. Chronol. d. altchr. Literat., i. pp. 251 ff.

3 Cf. Westcott, Canon of the New Test. p. 60 n.

4 Cf. Westcott, l. c. p. 61.

xviii. 19; ad Ephes. vi. 1 and Mt. x. 40; ad Trall. xi. 1 and Mt. xv. 13; ad Smyrn. vi. 1 and Mt. xix. 12; ad Polyc. i. 3 and Mt. viii. 17; ad Polyc. ii. 2 and Mt. x. 16.[1]

St. Polycarp (died Feb. 23, 155 A. D.; Harn.) also has a number of coincidences with our first Gospel: compare c. ii. and Mt. vii. 1, vi. 14, v. 7, vii. 2, v. 3, v. 10; c. vii. and Mt. vi. 13, xxvi. 41. Though some of Polycarp's words may be influenced by those of Clement, the differences in order and phraseology in their quotations show conclusively that they are not taken from one common source different from the Gospels. St. Polycarp has also two coincidences of language with our first Gospel (c. v. and Mt. xx. 28; c. vi. and Mt. vi. 12, 14) but does not present any supposed allusions to apocryphal writings.[2]

The *Διδαχὴ τῶν δώδεκα ἀποστόλων*, or the Teaching of the Twelve Apostles, belongs substantially, at least, to the earliest post-apostolic age. The latter part of the document contains four distinct references to a written Gospel: c. viii. (cf. Mt. vi. 5, 9), c. xi., c. xv. bis; again, c. ix. 5 quotes Mt. vii. 6 with the words "the Lord hath said"; thirdly, passages from St. Matthew, and also from other parts of Scripture, are incorporated into the writing without any indication that they are borrowed from other sources: cf. c. iii. 7 (Mt. v. 5); i. 3, 4, 5; vii. 1; viii. 2; xi. 7; xiii. 1; fourthly, the following three coincidences are especially striking: the summary of the law in c. i. 2,[3] the warning not to fast on Mondays and Thursdays like the hypocrites, in c. viii. 1,[4] and the regulation concerning Christian sacrifice, in c. xiv. 2.[5]

The Gospel of Peter must have been written a good while before the year 190 A. D. The opening words of the fragment imply that something had preceded about the washing of Pilate's hands before the people;[6] again, the expression "vinegar mingled with gall" is probably from Mt. xxvii. 34; the request for soldiers to guard the tomb comes also

1 Cf. Westc. l. c. p. 54.
2 Cf. Westc. l. c. p. 62.
3 Cf. Mt. xxii. 37; vii. 12.
4 Cf. Mt. vi. 16.
5 Cf. Mt. v. 23 f.; Westc. l. c. pp. 63 ff.
6 Cf. Mt. xxvii. 24.

from Matthew (xxvii.64); in a word, throughout the account its dependence on the first Gospel is easily seen, though in many cases the synoptic tradition is so decidedly a unit that we cannot tell which Gospel is quoted (110–130 A. D.; Harn.).

St. Justin, who suffered martyrdom, 166–167 A. D., under Marcus Aurelius, was of Greek descent, but his family had been settled for two generations in the Roman colony Flavia Neapolis, founded in the time of Vespasian near the site of ancient Sichem. Having escaped the delusions of the errors of Simon Magus, to which his countrymen were generally addicted, this writer studied successfully the Stoic, the Peripatetic, the Pythagorean, and the Platonic philosophy, and was finally led by an aged, meek and venerable man to the study of the prophets, from whom to Christ only one more step was required. Whatever may be thought of the martyr's other works, his two apologies and his dialogue with Trypho are generally admitted as genuine, and it is from these that we shall endeavor to prove his acquaintance with our first Gospel. Besides the general coincidence of his evangelic quotations with the doctrine and the history contained in the first Gospel,—*e. g.*, the history of the Infancy, of the ministry of the Baptist, and of the Passion,[1]—we find in the writings of St. Justin also direct quotations from the Memoirs of the Apostles. The latter are not only coincidences with the synoptic Gospels,[2] but, Justin's description of the Memoirs, especially if it be compared with that given by Tertullian, applies to our Gospels most accurately.[3] The writer's quotations from the Old Testament belong here, because he does not follow the septuagint version, but gives the passages as they are found in our first Gospel: cf. Deut. vi.

1 Cf. Dial. c. 120 and Mt. i. 18; Dial. c. 78 and Mt. i. 18 ff.; Apol. i. 33 and Mt i. 23; Apol. i. 34, Dial. c. 78, and Mt. ii. 5, 6; Dial. c. 78 and Mt. ii. 11, 12; Apol. i. 33 and Mt. i. 21; Dial. cc. 78, 103 and Mt. ii. 13; Dial. c. 78 and Mt. ii. 17,18; Dial. c. 88 and Mt. iii. 1, 4; Dia . c. 49 and Mt. xvii. 11–13; Apol. i. 31, 48, Dial. c. 69, and Mt. iv. 23; etc.

2 Cf. Apol. i. 34, 33, 66, 67; Dial. cc. 10, 49, 105, 106, etc.

3 Dial. c. 103; cf. Tert. adv. Marcion. iv. 2.

13 and Dial c. 103; Is. vii. 14 and Apol. i. 33; Jer. xxxi. 15 and Dial. 78; Mich. v. 2 and Dial. c. 78; Zach. ix. 9 and Apol. i. 35; etc.[1]

The principal exceptions to the testimony of St. Justin may be reduced to the following: The Apologist does not mention the Evangelist's name. But in this characteristic the writings of the Saint do not differ from those of Tatian, Athenagoras, Theophilus, Tertullian (Apol.), Clement of Alexandria,[2] Cyprian,[3] Origen,[4] Lactantius (who mentions only St. John by name, and blames St. Cyprian for quoting Holy Scripture in controversy with the heathen), and Eusebius (*Præp. Evang.* quotes the Gospels eighteen times without naming the Evangelists). Even if St. Justin quotes the Old Testament 197 times with the exact reference to the source, and only 117 indefinitely, it does not follow that he ought to quote the New Testament with a proportionate definiteness; for in the first place, the writer may have estimated the two Testaments differently, though receiving both as equally certain; secondly, like Cyprian, Clement of Alexandria, and other apologetic writers, St. Justin gives his source accurately in prophetic passages only, in which the nature of the subject requires exactness of reference, so that we now understand the reason of his accurate reference to St. John, the prophet of the New Testament.[5]

The second exception to the testimony of St. Justin is based on the inaccuracy of his quotations. But in the first place, a different degree of accuracy is required in the citation of history, of ethics, and of prophecy; secondly, when quoting from the Old Testament St. Justin combines different texts, adapts them, or does not accurately remember them, so that we must be prepared for similar inaccuracies in his quotations from the New Testament; thirdly, when

1 Cf. Westc. l. c. pp. 107 ff.

2 *Cohort ad gent.* mentions St. John alone, and that only once.

3 *Ad Demetr.*

4 *Cont. Cels.* commonly cites the Gospels anonymously.

5 Cf. Westc. l. c. pp. 120 ff.

the writer repeats the same passage, he not rarely quotes it in different ways, so that we must grant him a large margin of inaccuracy in his citations.[1]

The last answer is variously impugned by our opponents. They say that such slips of memory are hardly admissible where St. Justin explicity quotes the Memoirs; and that mere inaccuracies of memory cannot explain the fact that the same text is repeatedly quoted with the same variation from the Gospel text; that they are altogether improbable when the quotation of the writer accurately agrees with heretical or apocryphal Gospels.

We reply that St. Justin's explicit quotations of the Memoirs may be reduced to seven; five of these agree verbally with the Gospels of St. Matthew and St. Luke, though they exhibit three slight variations of reading not elsewhere found, but easy explicable: cf. Dial. 103 and Mt. iv. 10; Dial. 105 and Mt. v. 20; Dial. 107 and Mt. xii. 38 (39); Dial. 49 and Mt. xvii. 1–13; Dial 105 and Lk. xxiii. 46. In the sixth passage the writer summarizes Mt. xxvii. 39 ff.[2] with a reference to the corresponding prophecy in Ps. xxi. (xxii.). Finally, Dial. 100 quotes Mt. xi. 27 in such a manner as to agree in one point with a common variant of St. Luke (x. 22), in another with a reading supported by St. Clement, Origen, and other Fathers, and in a third with a transposition found in Origen, St. Irenæus, and St. Epiphanius, though they admitted only our canonical Gospels.[3]

Moreover, the stereotype variations in the quotations of St. Justin occur not only where the Saint cites the Gospels, but also where he quotes the Old Testament, e. g., Is. xlii. 6, though no one infers therefrom that the writer had before him an apocryphal or heretical copy of the prophet. Excluding errors in writing, differences in inflection and orthography, adaptations for ecclesiastical readings, and inten-

1 Cf. Apol. 15 and Dial. 96; Apol. 15 and Dial. 133; Apol. 16 and Dial. 76; Apol. 16 and Apol. 62; Apol. 16 and Dial. 35; Apol. 36 and Dial. 100; Dial. 17 and Dial. 112; Dial. 76 and Dial. 100; Dial. 49 and Dial. 88.

2 Cf. Dial. 101.

3 Westc. l. c. pp. 131 ff.

tional corrections, the remaining variations may be divided into synonymous words and phrases, transpositions, marginal glosses, and combinations of parallel passages.[1] We have synonymous phrases in Apol. i. 15, quoting Lk. vi. 32;[2] in Dial. 35,[3] quoting Mt. vii. 17; we may regard as glosses the variations in Dial. 49,[4] quoting Mt. iii. 11, 12 and Lk. iii. 16, 17; we find a combination of parallel passages in Dial. 76 and Apol. i. 16, quoting Mt. vii. 22, 23 and Lk. xiii. 26, 27; again in Dial. 112, 17, quoting Mt. xxiii. 27 and Lk. xi. 44. Since, however, the divergences in many of these stereotype variations are as striking as their constant coincidences, the memory of the writer must have been defective. As to the constant coincidences, we are justified in assuming that they are faithful quotations from certain codices of the New Testament; for the variations found in the cod. Bezæ, e. g., are more striking than those found in the writings of our Apologist.

The agreement of the variations of St. Justin's quotations with the readings of heretical and apocryphal gospels occurs only where the heretical or apocryphal readings have a solid foundation in Catholic tradition or in the patristic writers. Besides, we must carefully distinguish between the words St. Justin professes to borrow from the Memoirs and his own narrative of the facts: the latter are at times embellishments of the history of our Lord, while the former substantially agree with their reputed source. St. Justin does not always cite the words of the New Testament in that technical way which denotes with certainty the sacredness of their source; but combining his technical citations[5] with his numberless indefinite or general references, we cannot question the writer's acquaintance with our first Gospel nor his use of the same.[6]

To the patristic witnesses for the identity of our first Gospel with that written by St. Matthew belong also Athe-

1 Compare the variations in MSS. of the N. T. 2 Cf. Mt. v. 46.
3 Cf. Apol. i. 16. 4 Cf. 88.
5 Cf. Dial. 105, 76. 6 Cf. Westc. l. c. pp. 151 ff.

nagoras and Theophilus of Antioch. The former was an Athenian and a philosopher, who wrote (c. 177 A. D.) an Apology πρεσβεία περὶ Χριστιανῶν ("a mission about Christians") to M. Aurelius. In leg. 32 he quotes Mt. v. 28 with the introductory words, "he saith;" cf. also leg. 11 and Mt. v. 44, 45; leg. 12 and Mt. v. 46, 47. Theophilus of Antioch was, as it appears from his own writing, a heathen by birth and a native of the East; according to Eusebius he was the sixth Bishop of Antioch (c. 186 A. D.) under Marcus Aurelius. He wrote several books for Christian instruction (κατηχητικά τινα βιβλία), and among them three to Autolycus (στοιχειώδη συγγράμματα) in which he endeavors to prove the truth of Christianity to his learned heathen friend (c. 182 A. D.). In iii. 14 of this latter work he refers to Mt. vi. 3, and in iii. 13 to Mt. v. 28.

Secondly, many patristic writers, even of the earliest times, ascribe passages of the first Gospel to St. Matthew. We have mentioned the testimony of St. Irenæus saying that the Gospel of St. Matthew was written for the Jews[1]; if we invert this proposition, and there is nothing in antiquity prohibiting this process, we have the clear statement: the Gospel written for the Jews is that of St. Matthew. Besides this, Irenæus[2] ascribes i. 23; ii. 15; iii. 3, 7, of our first Gospel to the authorship of St. Matthew; the same is done by St. Clement of Alexandria[3] with regard to Mt. i. 1-17; by Tertullian[4] with regard to Mt. i. 1, 16; by Origen[5] with regard to Mt. xix. 19; vi. 11; iii. 11; by Julius Africanus[6] with regard to Mt. i. 1-16; by Eusebius (comm. in Ps. lxxvii. 2), with regard to Mt. xiii. 35; by later writers with almost innumerable passages of our Gospel.[7]

In the third place, ecclesiastical and patristic writers consider incidents that occur only in our first Gospel as matter of revelation. Here belong the appearance of the Star, the arrival of the Magi, the murder of the Holy Innocents, and

1 Cf. fragm. 29. 2 Hær. III., ix. 1, 2, 3. 3 Strom. i. 21.
4 De carn. Christ. 22; 20. 5 Comm. in Matt.; de orat.; comm. in Joann.
6 Cf. Eus. H. E. i. 7; Epiph. hær. li. 5. 7 Cf. Kaulen, Einl. p. 397.

also the passage, Mt. iv. 23.[1] Though these incidents might have been learned by tradition, it is more probable on account of the character of early Christianity that the foregoing writers drew their knowledge from written sources. At any rate, St. Justin (Dial. 100) says expressly of Mt. xvi. 16, "it is written"; and since Tertullian's acquaintance with the Gospel of St. Matthew has been shown in the preceding paragraph, he learned the arrival of the Magi most likely from the same source.[2] To insist on the innumerable testimonies of later writers is useless and needless.

Fourthly, the testimony of the early heretics and of the hostile pagan writers favors the identity of our first Gospel with that of St. Matthew. The practice of heretics basing their tenets on the authority of the Gospels must have been quite common in the time of Tertullian,[3] and the inference that the writings thus invoked by the heretics enjoyed the greatest authority among the faithful was drawn as early as the time of Irenæus.[4] This conclusion would have been false, if the Gospels had not been considered as resting on apostolic testimony, since the faithful generally considered apostolic tradition as their rule of faith. Few of the heretics have been logical enough to deny the apostolic origin of the New Testament; but even those that have done this testify for the canonical books in a double way: first, they show by their enormous errors the moral necessity of revelation; secondly, their denial implies the fact that the New Testament was considered as vitally connected with the doctrine of their opponents.

First we have the testimony of those heretics that appealed to the Gospels in confirmation of their errors: (1) The history and doctrine of Simon Magus (c. 40 A.D.) was commonly regarded as beset with inextricable difficulties till the recent discovery of the work *Against heresies*, in which Hippolytus gives not only a general outline of Simon's principles, but preserves also several quotations from the ἀπόφασις

1 Cf. Just. Dial. 78; Apol. i. 31; Ign. ad Ephes. 19.

2 Adv. Marcion. v. 9. 3 De præsc. 39. 4 Adv. hær. III. xi. 7.

μεγάλη, or "the Great Announcement," a work published under the heresiarch's name and containing an account of the revelation which he claimed to have received. It is in this work that we find a coincidence with Mt. iii. 10.[1] (2) The adherents of Cerinthus (c. 75 A. D.) also made use of St. Matthew's Gospel,[2] though they did not admit the whole of it. (3) Karpocrates[3] relied on the Gospel of St. Matthew on account of the genealogy of Jesus in its first chapter. (4) That branch of the Ophites which may be considered as a Christian sect shows an intimate acquaintance with the New Testament Scriptures. Hippolytus[4] supposes their reliance on Mt. iii. 10; vii. 6, 21; xiii. 3 ff.; xxi. 31; vii. 13, 14; xiii. 34. (5) The writings of the Sethiani allude to Mt. x. 34. (6) St. Irenæus[5] says of the Ebionites (c. 75 A. D.) that they use only St. Matthew's Gospel. (7) Later on, the Clementine homilies quote St. Matthew almost verbatim: Mt. v. 17 in hom. iii. 51; Mt. vii. 7; xi. 28; xv. 13 in hom. iii. 52; Mt. xxii. 32 in hom. iii. 55; Mt. xx. 16 in hom. viii. 4; Mt. xi. 25; xiii. 35 in hom. xviii. 15; Mt. v. 37; vi. 13; xii. 20, 26 in hom. xix. 2; Mt. xii. 34 in hom. xix. 7. (8) Basilides (c. 133 A. D.), as quoted by St. Clement of Alexandria,[6] appeals to Mt. xix. 11, 12. (9) In the same manner Origen cites Heracleon[7] as appealing to Mt. viii. 12, and Clement of Alexandria[8] cites the same heretic as appealing to Mt. x. 32. (10) Next follows Ptolemæus (c. 145 A. D.), who according to the testimony of Epiphanius[9] quotes in his *Ep. ad Floram*, Mt. v. 22, 28, 39; xii. 25; xv. 4-6, 17; xix. 6, 8, 17. (11) Still more references to St. Matthew (v. 18; x. 34; xx. 2; xxvi. 38; xxvii. 46) we find according to St. Irenæus[10] in the writings of the Valentinians (c. 145 A. D). (12) In another passage St. Irenæus testifies that the Marcosians (c. 180 A. D.) appealed to Mt. xix. 17.[11] (13) Finally

1 Cf. Hippol. adv. hær. vi, 16. 2 Cf. Epiph. hær. xxviii. 5.
3 Epiph. hær. xxx. 14. 4 Adv. hær. 5 Adv. hær. I. xxvi. 2.
6 Strom. iii. 1. 7 In Jo. tom. xiii. 59. 8 Strom. iv. 9.
9 Adv. hær. xxxiii. 3. 10 Adv. hær. I. iii. 1, 2, 3, 5; VIII. ii. 3.
11 Cf. adv. hær. I. xx. 2.

must be mentioned the appeal of Tatian (c. 172 A. D.) to Mt. vi. 19 and xxii. 30,[1] and the numerous quotations from St. Matthew's Gospel found in the *Πίστις Σοφία*, which has come down to us in its Coptic text.[2]

We now pass to those heretics that mutilated the first Gospel in order to defend their errors: (1) Tertullian[3] accuses Marcion[4] of mutilating Mt. v. 17. (2) St. Augustin[5] charges the Manicheans with the same mutilation of Matthew. (3) A similar testimony we find in Eusebius[6] concerning Symmachus and his handling of the first Gospel. (4) The attacks of Celsus on Mt. ii. 2 ff.; xxvi. 39; xiii. 55; xix. 24;[7] (5) of Porphyry on Mt. i. 11[8] and (6) again of Porphyry and Julian on Mt. ix. 9[9] go far to establish the paramount authority of the first Gospel in the age of those scoffers.

Finally the existence of the apocryphal Gospels bear testimony to the existence of Gospels resting on apostolic authority, and especially does the apocryphal Gospel according to the Hebrews prove the apostolic origin of our first Gospel. Though most of the apocryphal Gospels enumerated in the writings of the Fathers have been lost, we can judge of the character of the lost ones by the few that have been preserved. We are especially well informed about an apocryphal Gospel used by the Judaizing sects of the Nazarenes and the Ebionites in which the latter omitted the history of the infancy, while the former retained it.[10] This apocryphal writing was so much like our first canonical Gospel that according to Irenæus and Epiphanius the Ebionites and Nazarenes used the latter. St. Jerome appears to have

1 Cf. Clem. of Alex. Strom. iii. 12; cf. also Maher's articles on Tatian's Diatessaron in *The Month* for 1892, vol. 76, pp. 345 ff. and 529 ff.

2 Cf. Westc. l. c. pp. 272–330; Sanday, *Second Century Gospels*, c. vi.; Kirchhofer, pp. 357 ff.; Charteris, pp. 383 ff.; Kaulen, Einl. pp, 398 f.

3 Adv. Marc. iv. 9. 4 C. 144 A. D. 5 C. Faust. xvii. 1.

6 H. E. vi. 17. 7 Cf. Orig. c. Cels. i. 28, 38, 58, 66; ii. 24; vi. 16.

8 Jerome, comm. in Dan. i. 1. 9 Jerome, comm. in Matt.

10 Cf. Epiph. haer, xxx. 14; xxix. 9.

changed his views on the relation between St. Matthew's Gospel and the Gospel according to the Hebrews. In *De Vir. ill.* 3 he says that he had seen the Hebrew original of Matthew at Berosa by favor of the Nazarenes, and that he had copied it. In his commentary on Matthew[1] he says that he had lately translated from Hebrew into Greek the Gospel in use among the Nazarenes and the Ebionites called "by most" Matthew's authentic Gospel. Still later[2] the Father introduces an apocryphal anecdote as found in the Gospel according to the Hebrews, which is written in Chaldee and Syriac, but in Hebrew letters, used among the Nazarenes up to our day, composed by the apostles, or as most think, by St. Matthew, and preserved in the Cæsarean library.

Our argument for the authenticity of St. Matthew's Gospel may, therefore, be reduced to the following form: It is certain that the Apostle Matthew wrote a Gospel for the Jewish converts. But our first canonical Gospel was written for Jewish converts by an apostle, by St. Matthew. Therefore our first canonical Gospel is Matthew's Gospel written for the Jewish converts.

Cornely[3] reduces the arguments against the authenticity of the first Gospel to the following: 1. An eyewitness would have been clearer in his narrative and more definite in regard to place, time and occasion of the incidents and discourses contained in the Gospel. 2. He would have omitted what he knew to be false, e. g., the resurrection of many saints, and the history of the guard at the sepulchre; or mythological, e. g., the history of the Infancy and of the Temptation. 3. An eyewitness and an apostle could not have contradicted the fourth Gospel so flagrantly.[4] 4. The Gospel does in no way betray St. Matthew as its author. 5. An eye witness would not have omitted the Lord's Judean ministry, so explicitly told in the fourth Gospel. 6. The chronological

1 xii. 13. 2 Dial. adv. Pelag. iii. 2 3 Introd. iii. pp. 32 ff.

4 Cf. Meyer, Krit.-exeget. Handb. über das N. T. Matt. Evang. ed. 5, Göttingen, 1864, p. 3; Davidson, *Introduc. to the Study of the N. T.* London, 1868, i. pp. 484 ff.

order of the first Gospel is absurd, and it is false that Jesus was crucified on the first day of the Pasch. 7. Several statements of the first Gospel are historically doubtful.[1]

Some of these exceptions suppose the impossibility of miracles (nn. 2 7); others imply that an eye witness is necessarily a good narrator (n. 1), or must tell all he has seen (n. 5); others again take it for granted that an inspired writer must follow the chronological order in his narrative (n. 6), or betray his identity (n. 4). The statement that the first Gospel contradicts the fourth (n. 3) is sufficiently answered by the explanation of any good commentary.

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THE ADMISSION (INCARDINATIO) OF SECULAR PRIESTS INTO A DIOCESE IN THE UNITED STATES.

(A PRACTICAL CASE.)

ABOUT five years ago Father John, a secular priest ordained for the Diocese of X— (in the United States), applied to his Bishop for permission to affiliate himself to some other diocese where he hoped to improve his position. The Bishop granted his request, together with letters (*commendatitiae et excardinationis*) testifying to the good standing of the priest, and releasing him, under the usual conditions, from allegiance to his present diocese.

Father John thereupon went to the Bishop of Y—, presented his testimonials and made known his intention of

1 De Wette, Lehrb. der hist. krit. Einleit. in die kanon. Bücher des N T. ed. 6. Berlin, 1860, p. 202; Reuss, Geschichte des N. T. ed. 5, i. pp. 189 ff.; Riehm, Handwörterbuch des bibl. Alterth. Bielefeld, 1879, pp. 960 f.

serving the diocese, at the same time expressing the hope that he might be definitely affiliated. The Bishop finding the credentials of the young priest satisfactory, kindly received him, and by way of trial (*per modum experimenti*), assigned him a missionary charge in the diocese. Three years had just elapsed when the Bishop, disappointed (for some reason or other) with Father John, notified him that it was not his (the Bishop's) intention to adopt him permanently into the diocese, and that he might return to his original Bishop or seek affiliation elsewhere. To avoid all ambiguity in the matter, the Bishop also wrote to the Bishop of X—, declaring that he had no intention of adopting Father John into the Diocese of Y—.

Father John, reluctant to leave his present field of labor, avails himself of the privilege granted him to retain his temporary charge until he has secured another position. By this means he protracts his stay in the Diocese of Y— for two additional years. Five years having thus elapsed since the time of his first application to the Bishop of Y—, he presents a juridical claim to be regarded as a member of the diocesan clergy, having been affiliated under the title of *presumptive adoption*, according to the decrees of the Third Plenary Council of Baltimore. (Cf. n. 62-69.) The Bishop, surprised and annoyed, denies that under the given circumstances the decrees of Baltimore or the general Canon Law "de incardinatione clericorum" admit of any such interpretation. The matter becomes subject of the discussion treated in this article, and resolves itself into the answer to the following questions:

I. What are the principles which govern the Common and the Particular Law regulating the canonical adoption of secular priests in the Dioceses of the United States?

II. What title, if any, has Father John, to claim the right of affiliation into the Diocese of Y—?

THE FUNDAMENTAL LAW OF ADOPTION.

In order to ascertain upon what principles (according to the common or special law of the Church in America) the

admission of secular priests into, and their exclusion from, any particular diocese rest, we shall have to make a brief review of the early ecclesiastical legislation on the subject.

The oldest records which deal with the manner of Church administration show that promotions to Sacred Orders were invariably made with a view of supplying some *definite* ecclesiastical charge or office. Personal considerations, or even the *general* needs of the Church, were held to be subservient to this determining factor. To cite but one example out of many which prove this assertion, we refer to the words of the sixth canon of the Council of Chalcedon (A. 451), which states that "no priest, deacon, or other cleric shall be ordained unless he be expressly designated for a church attached to a city, or domain, or the shrine of some martyr, or a monastic institute. And should any one be otherwise ordained, the Holy Synod declares such imposition of hands illicit, and that he can never exercise his ministry, to the prejudice of the bishop who has ordained him."[1]

This requirement of a fixed appointment, which was strictly prescribed, implied as a necessary consequence the obligation on the part of the cleric who assumed the office, that he was willing permanently to retain it. Indeed according to the canons of the Council of Nice (can. xv., xvi.), clerics were forbidden to change their service by going from one church to another; and Pope St. Leo, speaking of this subject in a letter to the Bishop of Aquileja (about the year 442), says: "We beseech you also to reinforce that part of ecclesiastical discipline upon which the Fathers and We Ourselves have so often insisted, namely, that no priest, deacon or other ecclesiastic should be free to leave his church for another; but that all shall remain attached to the church for which they have been ordained, without being influenced by ambi-

1 "Nullum absolute ordinari debere Presbyterum aut Diaconum, nec quemlibet in gradu ecclesiastico nisi *specialiter* ecclesiae civitatis, aut possessionis, aut martyrii, aut monasterii qui ordinandus est pronuntietur. Qui vero *absolute* ordinantur decrevit Sancta Snyodus irritam haberi hujusmodi manus impositionem et nusquam posse ministrare ad Ordinantis injuriam."

tion or avarice or human considerations."[1] Of course, the idea of transferring clerics from one church to another was not altogether excluded from the ancient Church-discipline, although such changes were deemed exceptions, and rested on reasons quite different from those objected to by St. Leo. In such cases certain conditions were added, as the Holy Pontiff explains: "alienum clericum, invito Episcopo ipsius, nemo suscipiat, nemo sollicitet, nisi forte, ex placito caritatis, id inter dantem et accipientem convenerit: nam gravis injuriae reus est qui de fratris Ecclesia id quod est utilius aut pretiosius audet vel allicere vel tenere.[2]" And elsewhere, urging the necessity of obtaining the full consent of the demitting Ordinary, the Pontiff insists that this should be attested by a *written* document: "Illud quoque pari observantia ad sacerdotalis concordiae vinculum ab omnibus volumus custodiri ut nullus Episcopus alterius Episcopi clericum audeat sibi vindicare sine illius ad quem pertinet cessione, *quam tamen evidentia scripta contineant:* quoniam hoc et canonum definivit auctoritas et ipsa servandae unitatis ratio docet ne omnis ordo ecclesiasticus per hanc licentiam efficiatur instabilis."[3]

From these references we gather that as early as the fifth century there was in vogue a practice which regulated the passing of priests from one diocese to another, or in other words the admission to or demission from the jurisdiction of one bishop to another. The cleric who proposed to change his diocese was required to furnish serious reasons for the change, the nature of which was to be examined by the two bishops before God. The bishop under whose jurisdiction

1 "Illam quoque partem ecclesiasticae disciplinae quâ olim a sanctis Patribus et Nobis saepe decretum est ut, nec in presbyteratus gradu nec in diaconatus ordine nec in subsequenti officio clericorum ab ecclesia ad ecclesiam transire sit liberum, ut in integrum revoces admonemus; ut unusquisque non ambitione illectus, non cupiditate seductus, non persuasione hominum depravatus, ubi ordinatus erat perseveret." (Migne, *Patrol. Lat.* t. 54, col. 596.)

2 *Epist. ad Anastasium*, circa a. 446, Migne, l. c., col. 674.

3 *Epist. ad Episcop. Illyrici prov. metropol.;* a. 446, Migne l. c., col. 666.

the priest actually served had to signify his consent in writting that he was willing to yield him to another bishop. The priest himself had to assent to removal; and lastly, the bishop who was to adopt the priest into his jurisdiction had to make a declaration of the fact. By this means, which testified that one bishop yielded up a subject and the other formally accepted him, no ecclesiastic was left without an immediate legitimate superior. To emphasize this point still more, the Holy Roman Synod held under Eugene II., in 826, and afterwards confirmed by Leo IV., enacted that letters dimissory be withheld until adoption by some other bishop was assured. We quote the genuine reading of the eighteenth canon of the Synod: "Episcopus subjecto sibi sacerdoti vel alii clerico *nisi ab alio* (scilicet Episcopo) *postulatus*, dimissorias non faciat, ne ovis quasi perdita aut errans inveniatur, sed per consensum unius, in alterius inveniatur ovili . . . "[1].

Thus we find that long before the Decretals had been issued, the juridical principles regulating the adoption of clerics into a diocese for which they had not been originally ordained, were unequivocally fixed. These principles remained intact throughout the Middle Ages, although many other phases of Church discipline underwent change. It is true, indeed, that with the introduction of new titles of ordination, especially that of patrimony, the original meaning of adoption, according to which the ordination itself carried with it the obligation of a special, determined and perpetual service, could no longer be retained at a time when the number of benefices had grown, and the distinction between residential and non-residential benefices had come to be recognized. The cleric who held a non-residential benefice could no longer be obliged to reside in the diocese under the

1 This reading is accepted by Holstenius, Labbaeus, Berardi, Hefele, and others. Gratianus, D. 72, c. i., reads *nisi ab ipso* in the place of *nisi ab alio;* but the context evidently requires *alio*. Following Gratianus, Craisson in his *Manuale Juris Canonici*, n. 1009, makes this reading a proof of the necessity of the cleric's own assent. We shall demonstrate this necessity in its proper place, but on other grounds.

plea that he had obtained the *benefice which he actually held.* Still there is no reason to suppose, as do some eminent canonists, that the juridical bond between the cleric and his diocese was thereby weakened to the extent that all, except the beneficed clergy or such as have charge of parishes, may change their places at will, or *leave the diocese for good* without the bishop having the power to prevent it. We find nothing in the legislation prior to the Council of Trent to justify such an inference. On the contrary, the Council[1] reinforced the above-cited sixth canon of Chalcedon, and expressly assigns the reason, namely, "cum nullus debeat ordinari qui, judicio sui Episcopi, non sit utilis vel necessarius ecclesiis."

It is not surprising, then, that the Holy See, through the Congregation of the Council, should lay great stress upon the juridical consequences arising out of the obligation which every priest assumes at his ordination. Rome has frequently recognized the right of the Ordinary of a diocese to oblige, under certain circumstances, his priests, whatever their original title of ordination, to take the care of a congregation which otherwise would remain without a pastor. The readers of the AMERICAN ECCLESIASTICAL REVIEW are familiar with a comparatively recent decree[2] in which the Congregation of the Council, touching this subject, ordains as follows: "Ob suarum enim ecclesiarum necessitatem *Ordinariis perspicue jus est interdicendi, ne sacerdotes, quamvis ad patrimonii titulum ordinati, propriam dioecesim deserant, eosque revocandi, quamvis alibi, et adeo etiam in Urbe, per Apostolicas litteras residentiale beneficium assequutos, si citra Ordinarii beneplacitum discesserint, eisque praebeatur unde honeste in sua dioecesi vivere possint.*" (Decretum quoad clericos et sacerdotes alienae Dioecesis S. C. Concilii, d. 22 Dec. 1894.) This statement of what the decree calls the "constant discipline of the Church," was confirmed by reference to a previous decision *in Causa Reatina*, January 26,

1 Sess. 23, cap. 16, De Ref.

2 See AMERICAN ECCLESIASTICAL REVIEW, 1895, p. 429.

1833. Whence it is clear that the power of the bishops to refuse the *exeat* to any of their priests is not a dead letter.[1]

Nevertheless it must be admitted that the early law governing the right of separation from, or affiliation to a diocese has been somewhat modified. For the Council of Trent added a condition to the existing regulations, which, in certain cases, requires leave from the Holy See to join another diocese. We shall later on examine the reasons of this restriction, and see in what cases it obtains.

THE CONDITIONS OF DIOCESAN ADOPTION.

The present Canon Law exacts certain formalities which must be complied with in order that the change of a cleric from one diocese to another by way of affiliation may be recognized as valid, or at least licit. The conditions required are in the main three, namely, the consent in writing of the demitting bishop; the assent of the priest himself; and willingness on the part of the adopting bishop signified by the act of affiliation. A fourth condition is added in some cases, namely, the express permission of the Holy See. Let us briefly explain these conditions.

I. *The Consent of the Ordinary.*

A priest intending to leave his diocese for another must obtain his superior's consent. This consent must be freely given; there must be no deception or serious misapprehension (that is, what theologians call *error substantialis*); the evidence of any coercion by threat or through fear would vitiate the freedom of this consent. In the early Church this consent of the bishop was held, as we gather from the letter of St. Leo, to be fundamental. It cannot be simply presumed, but must be explicitly given. The idea of a presumptive consent, no matter how well grounded, could not be admitted, since the bond uniting a priest to his diocese can be loosed only by an express and positive act. Neither the Vicar

1 Cf. *Thesaur. Resolutionum S.CC.*, tom. 93, p. 28.

Capitular, nor the Administrator of the diocese, nor the Vicar General can legitimately free a priest from allegiance to his diocese unless by special faculty. In so grave a matter *the bishop* alone is responsible. But the bishop may give his consent with the understanding that it is to take effect only when some other bishop has been found ready to receive the released priest. Indeed every *exeat*, no matter in what form it is granted, has this provision attached to it, as the Council of Baltimore wisely suggests; so that the previous obligation or bond is not actually or lawfully rescinded until definite affiliation into another diocese has taken place. And, lastly, the bishop's consent must be given in writing. The practice of giving *Litterae Discessuales*, *Demissoriales*, *Excorporationis*, *Excardinationis* or *Exeat* dates very far back. Pope St. Leo, as we have seen, established "written evidence;" and the constant and universal practice of the Church bears witness to this usage. In later enactments of our legislation we find express mention of "*litterae excardinationis vel excorporationis*"; witness the last two Councils of Baltimore, and the Instruction of the Congregation of the Council addressed to the Ordinaries of the United States and of Italy, July 27, 1890, to which we shall return later on.

The question may, however, be raised, how far the law requiring a written form of *exeat*, or what are called *litterae excardinationis*, must be interpreted in its literal sense. Suppose a bishop in releasing one of his subjects were to give a verbal consent attested by the presence of a qualified witness, such as the Vicar General. Would such release, if not committed to writing, stand juridically valid, or would the absence of a written form render it void? Some canonists maintain the latter opinion, namely, that any release not attested by writing is without legal effect; for, though the general Canon Law does not state this, according to Suarez (de Legibus, V., c. 2509) and others, numerous examples may be cited to show that legislative enactments whilst they contain no nullifying clauses are nevertheless interpreted as having a nullifying effect when the positive terms of the law are not complied with. Particularly does this appear to be

true where the law prescribes special formalities such as a written document, etc., because the observance of the formality is a certain guarantee toward accomplishing the aim of the law, whilst on the other hand the omission of the formality would lead likely to frustration of the law's purpose. Hence we must assume that the legislator intended such formality as an integral or essential part of the law, and not merely as accidental. Another important reason for establishing this obligation on the part of clerics to obtain the express (written) consent of their bishops, before affiliation into another diocese, is the necessity of safeguarding the rights of the respective Ordinaries who are concerned in the matter, and in general to secure peace and harmony in Church government. Thus, it is further argued, the obligation of holding demissorial letters is an essential preservative of peaceful administration, and a protection against discords and contention, so that, if such letters be wanting, we must assume that the *exeat*, in whatever other form it may have been granted, becomes vitiated and void.

Although we do not deny the validity of the foregoing reasoning we are not disposed to take so rigorous a view of the force of the law demanding demissorial letters. The vitiating effect of a juridical act is a matter all too grave to rest on presumption; it must be based on solid and positive argument. Does the practice of the Church furnish such argument? We are not aware that it does. Indeed, if we take into consideration the aim and object of the law demanding demissorial letters, we may conclude that these do not form an essential condition of the validity of the demission; for the purpose of the law is secured without such testimonial, inasmuch as no bishop can *licitly* adopt a priest as a subject, unless *he knows for certain* (no matter how) that the priest has obtained the express consent of his Ordinary. And where this externally signified consent (*objective loquendo*) is wanting, the affiliation is moreover *invalid*. Even if consent is given, but there be no evidence of the fact, as in the case where it is orally given without witnesses to testify to the fact, the adoption would not stand *in foro*

externo. Hence, whilst fully appreciating the great value of testimonial letters in establishing the validity of affiliation, we would not go so far, *post factum*, as to declare the adoption invalid merely because testimonial letters are wanting. Of course it always remains within the right of the Holy See to decide this question.

What if the demissorial letters should be lost or destroyed, and could not be replaced? In such event other testimony, either written or oral, or whatever might establish a safe presumption to show that the letters had really at one time been granted and exhibited in proper form would suffice.

The question might here be asked whether the Ordinary's permission to leave the diocese is so absolutely necessary that none other can supply it, and whether there is no law or rule to which the bishop must conform in granting or refusing this permission. Something has already been said to dissipate the assumption that the modern practice of ecclesiastical discipline has very much limited the authority which Ordinaries exercise over their clerical subjects; and it is sufficiently plain from recent rulings of Rome, that, in the mind of the Church, the bond which exists between a diocese and its subjects may not be severed by them at will. The Ordinary himself can not, in granting or refusing demission, act in an arbitrary manner. He is obliged to weigh well the spiritual advantage or loss which would accrue to the faithful by his action; and on the other hand he is bound to protect the interests, especially the spiritual welfare of the priest, to whom he must act as a father. Thus the rule which is to guide the bishop's action is determined by the circumstances of a wise expediency for the welfare of souls; so that a course which is unlawful at one time may become not only legitimate but obligatory at another. For this reason there is left to the Ordinary a certain discretion in giving or refusing the request of a priest who desires to leave his diocese.

In case the bishop should deny such a request, there is no appeal to the archbishop, as the law in this case allows the Metropolitan no right of interference. Only the Sovereign Pontiff, the Vicar of Christ, who has immediate and univer-

sal jurisdiction over all the pastors and faithful of the Church, offers the opportunity of recourse—without derogating from the respect due to the Ordinary—for the purpose of obtaining such adjustment as the natural or ecclesiastical law accords, or the favor of absolute release from the diocese. There are two Roman Congregations especially intrusted with the examination of such cases; namely, the Congregation of the Council, and, for missionary countries, the Congregation of the Propaganda. The great care and charity which characterize the examinations of these tribunals, solicitous to dispense justice with an equal hand, are manifest from the decisions of cases, especially such as have come before them of late years. If, on the whole we meet but rarely with the response: *concedendam esse excardinationem*, it is no less true that where special reasons urge a decision in the petitioner's favor, and where the interests of souls do not stand in the way, the usual answer is: *Supplicandum Sanctissimo* pro gratia *excardinationis*, as in a recent case decided by the Congregation of the Council, January 25, 1896.

II. THE WILLINGNESS OF THE PRIEST.

The second condition required by Canon Law for the rightful affiliation of a secular priest is the willingness of the priest himself. Although a bishop, by reason of his spiritual charge over the faithful of his diocese, and also by special Apostolic Indult[1] has the right of distributing all pastoral charges, those most sought after as well as the least desirable, yet his jurisdiction is limited by the bounds of his diocese, so that he cannot transfer beyond these limits any priest who has a title of membership in the diocese, except with the priest's consent. For the expression of this consent no special formality is necessary; and, in practice, it is sufficiently manifested either by the application for his release or affiliation, or by his acceptance of the charge assigned him in the new diocese.

1 Uti factum reperitur pro Archidioc. Tolosana et Diœcesi Forojuliensi, per Indult. Jun. 9, 1884, et Januar. 31, 1891

It sometimes happens that a priest's consent (to removal within certain limits) is given in advance so that he could not consistently refuse it should the bishops later agree upon the change. This, I take it, is the case with the priests of the United States who have been ordained for the missions, that is, provided ordination has taken place after November 30, 1885, and the proposed transfer should occur between dioceses within the same ecclesiastical province. For, on the above-named date, His Holiness Leo XIII. granted among other things the request of the Fathers of Baltimore that the oath taken by the newly ordained should bind them to missionary duty, not only within the diocese but within the province.[1]

However we do not wish to imply that the Indult of 1885 does away with the necessity of having the priest's assent before he can be transferred to another diocese. If the Ordinary *may not arbitrarily move* his priests from one place to another within the precincts of his own diocese, we can hardly assume that the Holy See meant to authorize a transfer of priests ordained for the mission to the jurisdiction of another bishop without consulting their wishes. The meaning of the Indult, if we may venture to express our opinion, is this: Generally speaking, and apart from special decisions in cases of canonical recourse to Rome, priests ordained for the mission, after 1885, may be transferred from one diocese to another within the same province, provided such transfer would be deemed lawful if made, within his own diocese, even against the wish of the priest. The reason of this is that in taking the oath of allegiance, the meaning and import of which should have been clear to the priest, he pledged himself in advance to consent to such removal, if deemed expedient by the Ordinaries.

1 "Juramentum quod ordinati titulo missionis praestant eos exinde obliget non pro aliqua dioecesi tantum sed pro tota Provincia ecclesiastica, ita ut presbyteri sic ordinati sola collatione tituli, in aliam dioecesim ejusdem Provinciae transferri possint de consensu utriusque Ordinarii quin necessarium sit ut ipsi novum juramentum emittant."

III. THE AGREEMENT OF THE ADOPTING ORDINARY.

The third requirement is the formal and express agreement of the adopting Ordinary, that is to say, the positive act of complete affiliation of a properly released priest to the diocese. Until this takes place, the obligation formerly contracted between the priest and his diocese binds him. This is but just whether we consider the common good, or the personal welfare of the priest. The bond which attaches him to his diocese should not be severed until his allegiance to another has become an accomplished fact, "ne," in the words of the Roman Synod, "ovis quasi perdita aut errans inveniatur." On the other hand, natural equity forbids a priest to address himself to a bishop as to his superior, until he has been made his subject, whether by ordination or by the adoption of which we speak.[1]

We have said that the demitting *bishop himself* must express consent, and that neither the Vicar Capitular, nor the Administrator of the diocese, nor the Vicar General have the right to adopt or release without special faculty; just as, generally speaking, they have no power to issue demissorial letters for the reception of Holy Orders. This consent must likewise be formally expressed. It is not sufficient that the bishop signify his willingness to adopt the applicant, or that he promise to do so at some later time. This is clear from a case in the Diocese of Rottenburg, brought before the Congregation of the Council, March 26, 1886. Athough the Ordinary had manifested his intention to receive a certain priest, if he could furnish credentials from his bishop, and although the letters were obtained and duly submitted, the Congregation decided against the validity of the affiliation, on the ground that it had become sufficiently clear that in the intervening time the bishop had changed his mind.

1 This same reason of equity runs through the recent Decree *Auctis admodum*, of the S.C.EE.RR., November 4, 1892, which declares that no Ordinary can be forced against his will to accept as subjects regular priests of simple vows, who relinquish community life, after having received Holy Orders.

Furthermore, this consent on the part of the bishop must clearly signify that he will receive the priest as a regular subject of his diocese. The mere accepting a priest's services, or the assigning him a charge for a short time is not proof sufficient that the bishop regards him as a member of his clergy. Appointments of this kind are often made without such an intention, as in the case of the Rottenburg bishop just alluded to.

On the other hand, nowhere in Canon Law, written or traditional, do we find prescribed any special form of affiliation; in fact there is not any positive law which prescribes *litteras incardinationis*, either to effect or attest affiliation. All that is required is that the Ordinary shall truly receive the priest as his subject, and make this clear *in foro externo*. Thus, if, for example, a priest seeking affiliation into another diocese were to present to the Ordinary his testimonials, and afterwards were appointed to a permanent rectorship in the same manner as other priests of the diocese; or if he had received such marks of recognition or honor as are usually accorded only to members of the diocese; or again, if the bishop had made mention to others of his intention to adopt the priest, or had clearly expressed it in a letter, or otherwise made it known;—in each of these cases the affiliation would unquestionably be valid. The Congregation of Bishops and Regulars in its responses to numerous cases[1] makes this quite clear. Hence we infer that the Baltimore Council, when in its sixty-third decree, it speaks of *formal* adoption as "*actum Episcopi documento signatum*, qui sacerdotem alienae dioecesis . . . in clerum suum adscribit," it does not mean thereby to reject other modes of formal adoption approved by Canon Law, but rather to point out the usual and safest way of affiliation, the presumption being rather against formal adoption, whenever this manner of affiliation is not observed.

More difficult, at first sight, seems to be the interpretation of what the same Council states in its sixty-seventh decree:

1 Cf. Cas. dioec. Coloniens. et Limburg.

"Declaramus porro sacerdotem sive ad nostras Provincias pertineat, sive *ex Europa aliundeve advenerit*, etsi a proprio suo Episcopo literas excorporationis (*Exeat*) jamjam obtinuerit, a vinculo communionis et subjectionis erga ipsum solutum haberi non posse, donec alteri dioecesi vel formaliter vel praesumptive adscriptus sit; *simulque, si de formali adscriptione agatur, Episcopus proprius de ea peracta authenticum monitum acceperit. Ejus enim jurisdictio in sacerdotem tantum cessat post hanc monitionem.*" This would seem to require a fourth condition, in addition to the three already mentioned, namely, that the bishop who adopts a priest must notify the bishop who releases him regarding the adoption. Hence if through oversight or other reason, notification is not served it appears that the cleric remains bound to his former diocese.

Let us see whether or not such is the meaning of this law. From the terms used by the Council of Baltimore it would appear that the condition of notification is meant to be applicable to bishops outside of the United States, as well as those who are governed by the Council of Baltimore. We believe that here a distinction is to be made. As regards the American bishops, there is no doubt as to the obligation set forth by the Council. It declares it to be their will that from that time forth every affiliation of a priest who belongs to another diocese in the United States is to be received only conditionally, until due notice of the adoption has been given to the demitting bishop. It is plain that any two bishops may have a private understanding to this effect, in special cases; and there can be therefore no doubt that the Hierarchy of a country convened in Plenary Council may adopt for their body, and promulgate some such general agreement. There is no law or principle to prevent such action. Consequently, for priests of the United States adoption into another diocese of the country makes notification a *conditio sine qua non.* But as to foreign bishops who may release or receive priests for or from America, we do not believe that they can be bound *per se* to observe the provisions of the Council of Baltimore, unless contained in the

general law. If during the preliminary negotiations, as is customary in similar cases, any foreign bishop had been informed of the law of Baltimore, and *had accepted the condition stated therein*, he would of course be obliged to act upon it.

THE CONSENT OF THE HOLY SEE IN CERTAIN CASES.

Thus far we have seen what are the conditions which, according to present Canon Law, are sufficient and generally required for affiliation. We come now to another requisite, the permission of the Holy See in certain specified cases. This chiefly concerns priests ordained for the missions, bound by oath never to sever themselves from the diocese or the mission without leave of the Holy See. The existence of this obligation undertaken at ordination is plainly recognized by the Fathers of Baltimore who, in their sixty-fourth decree, remind the bishops that they should recommend the request of anyone seeking exemption, to the Congregation of the Propaganda, six months prior to the affiliation, so as to obtain dispensation from the oath. The Holy See, however, lightened, by Indult of November 30, 1885, this obligation for American priests who wish to be transferred from one diocese to another within the same province.

Besides this case of not uncommon occurrence to-day, there is another in which recourse to Rome is necessary. We find it mentioned in a letter[1] addressed by the Congregation of the Council to the Bishops of both Americas and of Italy, July 27, 1890, in which the Bishops of Italy are forbidden to grant demissorial letters to secular priests intending to emigrate to America. Exception is made only in case of a diocesan priest of mature age, with a fair working knowledge of his theology, and having good reasons for leaving his country. Moreover, the American Bishops are asked to affiliate formally any such priest and to promise to assign him some definite charge. The Italian Bishops, on the other hand, are bound to make report of the cases to the Congregation of the Council, and they are not at liberty to grant

1 The letter is found on page 193 of this number of the REVIEW.

release to any of their clergy until the consent of the said Congregation has been obtained. The letter adds that this permission from the S. Congregation must be renewed in every case where a priest wishes to leave his adopted diocese for another in America. So far this law binds only the Bishops of Italy and of North and South America, but of course the legislation of the Church may be extended by the direction of the Holy See, so as to include other parts of Europe.

PRESUMPTIVE ADOPTION.

Besides the adoption which the Third Council of Baltimore calls *formal*, there is another kind of adoption, which is termed *presumptive*. Of this the sixty-sixth decree says: "Praesumptam incardinationem haberi declaramus, si Episcopus elapso triennio vel respectivo quinquennio probationis,[1] actum adscriptionis formalem omiserit. Qui enim eo elapso tempore, clericum qui dioecesi adscribi petierat, nec formaliter admittit nec admittere plane diserteque recusat, jure praesumitur adscripsisse. Quod idem valet etiam pro ordinatis titulo missionis, quo in casu juramentum praestitum in aliena dioecesi, censetur pro nova esse servandum. . . ."

The first point into which we have to inquire regarding this decree is its relation to general Canon Law. Does it run *counter* to, or merely *beyond* it? For whereas the common law of the Church leaves no doubt as to the necessity of obtaining the personal and free consent of the bishop who is to adopt a priest into his diocese, the law of Baltimore appears to do away with this necessity by itself supplying such consent, and in some cases even obliging a bishop, under the plea of presumptive adoption, to recognize as his subject a cleric whom perchance he does not want.

Indeed, if it were true that this decree is in reality at variance with or derogatory to the common law we should have

1 In this sixty-third decree the Fathers wisely counsel the bishops not to affiliate immediately, but to wait about three years, and mark how the priest shall perform his ministry. They also allow the bishops to extend the time of probation, if they think it necessary, but not beyond five years.

considerable difficulty to establish that it has any binding force, for the Third Plenary Council of Baltimore has not been approved *in forma specifica*, and the Fathers of the Council, where they considered it advisable or necessary to deviate from the common law, had recourse to the Holy See for obtaining a special indult or a dispensation. In the present case there is no evidence to show that such an indult was asked for or had been granted. There remains no difficulty, however, if we regard the decree as merely *outside* the general legislation of the Church, but within the proper sphere of a Plenary Council. And this is precisely the case. The Council has made an addition to the general law in as far as it specifies *in a more express manner* a fixed method of consenting to affiliation, and of subsequently proving the consent of the bishop. Besides letters of adoption the general law, as we have said, recognizes many other ways of adopting priests, but it nowhere specifies that, and how, a term of five or three years, or less, spent in the service of a diocese shall be equivalent to positive proof of affiliation. Nevertheless it cannot be denied that the Ordinaries may come to some mutual understanding that a priest who has first obtained his release from his diocese (*sub conditione*) is affiliated into another diocese by the fact that a charge is assigned him. This adoption is held to be valid, with the express understanding that within a stated time, say three years, the bishop shall not have changed his mind, and so informed the priest whom he conditionally accepted. Failure on the part of the bishop to notify the priest of his change of intention makes affiliation good, without need of further ratification. On the other hand, the claim to affiliation ceases as soon as notification is served, provided this has been done within the prescribed limit of time.

These principles, which are in strict accord with universal Canon Law, are applied by the Council of Baltimore, in general, to all the Dioceses of the United States. Thus the Fathers declare that whenever in future a bishop shall receive a priest, who, having been released, seeks adoption into his diocese, the very fact that he allows such a priest to

minister under his jurisdiction, is tantamount to conditional adoption ; that is to say, he receives the priest into the diocese with the understanding that within a stated time he reserves to himself the right of dismissing the priest by declaring that he has no intention of affiliating him. When, therefore, conditional adoption and the passive acceptance of the bishop during the term stated concur, adoption becomes absolute and permanent. And in this manner of acting the Council of Baltimore complies with the general law, which requires the true and express consent of the adopting Ordinary ; for it rightly holds that in the cases of what is called *presumptive* adoption, the consent is actually given. We say "rightly," because the law of Baltimore and the general teaching of Canon Law touching contracts and the effect of a condition not considered in the common law are perfectly understood by the bishops. The argument, therefore, that in these cases there is a defect of consent is groundless, according to the dictum, *protestatio actui contraria nihil valeat in jure.*

CONDITIONS FOR PRESUMPTIVE ADOPTION.

Let us now briefly review the various conditions requisite to establish what is called *presumptive* adoption. First, demissorial letters are to be obtained from one's bishop. Without these, even if the bishop were to give testimonial letters (without mentioning therein the fact that the priest is at liberty to seek affiliation in another diocese), any attempt at obtaining adoption in another diocese would be futile. The sixty-third decree of the Council of Baltimore plainly exacts that the priest have "*literas* commendatitias et excardinationis." Mere oral release, in our opinion, will not do for this kind of adoption specified by the Council. Secondly, the priest himself must signify his assent to the transfer, at least in cases where formal adoption requires willingness on his part. Thirdly, the adopting bishop must not only assign a charge to the priest seeking affiliation, but he must do so with a view of trying him and with the intention avowedly of afterwards making him a member of the diocesan clergy

in the event of his finding the priest suitable. To take a case in point, if a priest were to present his testimonials to a bishop and ask for some spiritual charge on trial, and the bishop, after perusing said papers, were to refuse the priest's request but consent only to accept his services temporarily, then there would be no question of presumptive adoption, no matter how long the priest might be permitted to stay in the diocese. It may be asked whether the silence of the bishop, neither affirming nor denying the future affiliation, may not stand as sufficient proof that he is favorably disposed towards receiving a priest to whose care he entrusts the interests of souls, especially after perusal of his testimonials. Does not silence give consent? To this we answer that the law is sufficiently definite, but that, in practice, the best way of avoiding contention for a bishop *hic et nunc* determined against adoption, is to express his mind plainly and openly, so as to have witnesses in *foro externo*. By writing to the priest's Ordinary, or expressly stating in the letter of appointment that such appointment shall not carry the right to appeal to the sixty-third or sixty-sixth decree of Baltimore, he will safeguard against annoyance and misunderstanding.

A fourth requirement is that the adopting bishop shall have omitted to notify the priest before the expiration of the stated term, that he will not adopt him as a subject. The question arises, when must this notification be served so as to avoid presumptive adoption. Two things are clear. First, it is immaterial when notice is given, provided within the prescribed limit of three or five years, as the case may be. Secondly, if a notable space of time is allowed to elapse after this term has expired and before notification is served, adoption holds good. So much is plain from the letter and spirit of the Third Plenary Council of Baltimore. But whether notice of unwillingness to adopt when given just after (post triennium vel quinquennium vix expletum) the expiration of the probationary period would avail, it is more difficult to say. At first sight one might be inclined to answer in the negative, from this passage of the sixty-sixth decree: "praesumptam incardinationem haberi decla-

ramus si Episcopus, elapso triennio, . . actum adscriptionis formalem omiserit." But when we take into consideration the context, and consider the reasons underlying this rule, it becomes evident that not every notification made after the lapse of three or five years becomes useless. The decree gives the reason: "qui enim, *eo elapso tempore*, clericum qui dioecesi adscribi petierat, nec formaliter *admittit* nec admittere plane diserteque *recusat*, jure *praessumitur* adscripsisse." It does not say, "qui *durante* eo tempore non *admisit* vel *recusavit.*" but, "qui, *elapso* tempore nec *admittit* nec *recusat.*" Therefore. *a contrario*, if the bishop gives notice shortly after the allotted term (elapso (vix) eo tempore) that he will not adopt the priest, affiliation is not to be presumed.

If this interpretation be the right one—and we believe it to be at least probable—how are we to determine the precise limit of time which may follow the probationary period? In our opinion, this must depend on the circumstances of person and time. Suppose that the bishop is at home and within easy reach of the priest in question, a very short time need pass after the term of trial before adoption is good. On the other hand, if the bishop were abroad or pressing duties made it difficult for him to reach a priest, perhaps at the far end of his diocese, a greater length of time must necessarily elapse; *impedito non currit praescriptio.* It may be said that this explanation leaves the matter still uncertain. We answer that the difficulty in the practical application of the law in this case is the same as that which occurs in the application of most laws; these have to be applied in different ways according to the diversity of facts with which they have to deal. When the parties cannot be brought to an amicable settlement, the bishop has the right to take the case in hand and end it.[1] For the rest, we are not considering the question of framing a law, but of inter-

1 We have a similar case in the applcation of the principle in Canon Law that "superiorem non posse pro mero lubitu quoscumque rectores ecclesiarum ab eis removere," which, though apt to give rise to frequent contentions, does not allow us to repudiate the principle itself.

preting the law of Baltimore as we find it already framed and promulgated. The fact that the law is stringent and lodges a burden upon the adopting Ordinary, calls for its strict interpretation; and hence, as long as its application in a particular case is in doubt, the bishop has the benefit of that doubt, and is free either to accept or reject it. This much, we think, is but a fair interpretation; nevertheless we speak under correction of superior wisdom.

LEAVE FROM THE HOLY SEE FOR THOSE ORDAINED "TITULO MISSIONIS."

Lastly, it is necessary that the Holy See (Congregation of the Propaganda) give express leave for the affiliation of a priest ordained *titulo missionis*, into a diocese outside his present province. When both dioceses are in the same province, *i. e.*, under the same metropolitan, recourse to Rome is not necessary. The reason of this condition is obvious. Clerics ordained for the missions bind themselves at ordination by an oath from which only the Pope can dispense. The S. Congregation has repeatedly insisted upon this fact.[1] On the other hand, there is nothing to indicate that the Holy See has renounced its rights in the present case. These still stand, then, and petition for dispensation from the oath, in cases of presumptive adoption, is to be directed to the Congregation of the Propaganda.

We meet a difficulty, however, in this passage of the sixty-sixth decree: "Quod quidem valet pro ordinatis titulo missionis, quo in casu juramentum praestitum in aliena dioecesi, censetur pro nova esse servandum." Might we not argue from these words that presumptive affiliation holds good, without further intervention of the Holy See? That this interpretation is inadmissible must be patent to anyone who reads what the Council says in the sixty-fourth decree wherein the Fathers positively declare that a dispensation in due form must be obtained from the Sacred Congregation in

1 *Vide* Instruction of the Congr. of the Propaganda on the title of ordination, No. 11, April 27, 1871; also Indult of 1885, published subsequent to the Third Council of Baltimore.

all cases where there is question of formal affiliation of a priest who has been ordained *titulo missionis*. Furthermore, with a view to lessening the frequency of these petitions the Fathers obtained from the Pope by the Indult of November 30, 1885, a standing dispensation for the adoption of priests into any diocese within their own province. In view of this fact it is scarce reasonable to assume that the Fathers of the Council, after framing this law, could straightway have stated or supposed that the Holy See had lost or voluntarily relinquished its rights, simply because the adopting bishop might through an oversight fail to forward to the said Congregation the priest's petition together with his own recommendation for the dispensation. Assuredly the words of the Council bear a different meaning, which, as we take it, is that presumptive adoption and all that attaches thereto is not to be set aside by the simple fact of overlooking the necessary dispensation; and that the bishop is bound, provisionally at least, to consider such an adopted priest as a member of his clergy, *sub titulo missionis*, awaiting the Congregation's action; and when the dispensation is secured, the priest is unconditionally and definitively established as a subject of the diocese, under the same title. In case the Congregation should not think it wise to release the priest from his diocese (a case of comparatively rare occurrence), the presumption of adoption ceases, as it would infringe upon the rights of a third party.

We leave here the theoretical question as to the conditions of affiliation, formal and presumptive, and turn now to the solution of our case.

FATHER JOHN'S TITLE.

What title, if any, has Father John to claim affiliation into the diocese of Y—?

In the first place Father John seems to have been misinformed on one head: he continued to work in the Diocese of Y— for two years after he had been informed by the Bishop that he did not mean to adopt him; and it was only at the

end of five years' service, thinking that he had acquired a new right by this term, that he appealed to the Bishop. The real question, however, is whether presumptive adoption was a fact at the expiration of the third year. Where the bishop has shown, as in this case, his unwillingness to adopt, three, or five years, or a longer period will not stand for presumptive adoption. If Father John had the title of presumptive adoption it would have been good at the end of the three years, and there was no need of waiting another two years. Still the fact that he did not lodge his protest immediately after the term of three years' service, does not make him forfeit his actual rights. What are these?

It is plain that there can be no question of formal adoption, but simply of *presumptive* adoption, as understood from the decrees of the Third Plenary Council of Baltimore. Now both sides agree upon the fulfilment of the first three conditions, as explained above; of the other two there may be some doubt. The Bishop of Y— declared his intention not to affiliate John; but he did so only after the expiration of the three years' time limit. Did the Bishop take action in time to cut off presumptive adoption? Those who hold that notification must be served before the expiration of the three years, must logically conclude that the intimation came to John too late. Others, and we are of their number, will not pronounce absolutely, but take into consideration the exact force of the terms and the circumstances of the case. If examination can show that only a very short space of time lapsed between the expiration of the third year and the Bishop's notifying Father John that he did not intend to adopt him, then that notice, we hold, would be in time and effective. If nevertheless those concerned[1] fail to come to a satisfactory agreement, the case is to be referred to Rome.

Supposing on the other hand that examination proved that the notice came too late, it would be necessary to ascertain first, whether John had been ordained *titulo missionis*, or

1 We include the Bishop of X— from whom the release (conditional) is obtained, as it can not be indifferent to him whether John still belongs to his Diocese, or is affiliated into the Diocese of Y—.

under other title; and next, whether or not the Dioceses X— and Y— are under the same metropolitan. If John was ordained *titulo patrimonii*, or *titulo missionis* for a diocese within the same province as is that to which he wishes to change, his adoption is assured beyond question, and no further dispensation is required from Rome. But if X— and Y— are in different provinces, John's adoption must await the decision of the Holy See. In the meantime John is attached, provisionally only, to the Diocese of Y—.

Of course the Bishop of Y— may communicate to the Congregation his reasons for refusing to adopt Father John; but after the latter shall have been dispensed from his oath by the Sacred Congregation, the Bishop can no longer reject him.

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THE TEACHING OF MUSIC IN ECCLESIASTICAL SEMINARIES.

IT is now nearly six years since we contributed a paper on this subject to the REVIEW. Hardly any apology is needed for recurring to it at this time, or, indeed, at any time when leisure serves; for, like the question of Home Rule in the English Parliament, it belongs to the class of subjects which, being never settled, possess a perennial interest! But a more obvious felicity in recurring to it just at this time lies in the fact that a very able and moderate presentation of the subject has been made in the *Irish Ecclesiastical Record* for December, 1897, by the Rev. H. Bewerunge, Professor of Music in Maynooth College. The sole recommendation he makes in the matter is very different from the

suggestions we had to offer in our previous paper. Either plan would, if adopted, result in a great advance in the teaching of Gregorian Chant in our seminaries; and it is in the hope that either one may be adopted, that we take heart of grace to attack once more the thorny theme.

First of all, we may glance at Father Bewerunge's recommendation in the matter, and at the occasion which called it forth. The occasion was as follows: "At their meeting in October, 1895, their Lordships, the Trustees of Maynooth College passed a resolution, asking the Scholastic Council of the College to report to them 'on any measures they may think desirable to take with a view to improve, strengthen, and complete the teaching department of the College.' In accordance with this resolution, a large number of meetings were held, during the academic year, by the Scholastic Council, the condition of the various studies of the College was discussed, and suggestions as to improvements were formulated." Father Bewerunge presented at one of these meetings, a "Memorandum" on the subject of his department—(the Class of Church Music)—which was favorably received and ordered to be submitted to the Trustees.

The Memorandum limits itself to a consideration of the conditions prevailing at Maynooth, and does not aspire to be an essay on the broader subject indicated in our title. It is nevertheless very interesting, and very instructive, and not a little comforting, to us of this western world. What Maynooth endures, and seems willing to endure for some time to come, we need not be ashamed to acknowledge as a fact existing amongst ourselves. Indeed, instead of repining, we may be pardoned for growing slightly boastful. From the Memorandum we learn that "as things are at present . . . only a small number of students are, at the end of their course, able to sing the melodies prescribed by the Church for the *Ite Missa est* and *Benedicamus Domino.* A considerable number are not even able to sing the Gospels and prayers correctly; and as to voice training, very little can be done to enable the students to render the sacred words with that dignity and beauty that befit the divine worship and

save the ears of the congregation from offence. The theoretical instructions, too, can be imparted only to a very insufficient extent."

The fact that the Memorandum is throughout wholly free from even a tinge of personal dissatisfaction, sounds nowhere a complaining note, and is almost despairingly moderate in the recommendation it ventures to offer, lends additional weight to the declaration of the musical status in the great seat of ecclesiastical learning with which it concerns itself. But what a status that is which permits "a considerable number" to be ordained without being "even able to sing the Gospels and prayers correctly!" The recommendation put forth in the Memorandum is that at the entrance examination every student should be required "to be able to imitate a given tone." Nothing could be conceived more moderate than this requirement. And we have therefore a strong sidelight thrown on the larger field of preparatory training for Maynooth College, in the fact that the Trustees were unable to see their way to the immediate adoption of the recommendation. They contented themselves with the following declaration: "Resolved, that Father Bewerunge is requested by the bishops to publish in the *Irish Ecclesiastical Record* the useful suggestions he has made in his letter to the Council of Studies, in reference to the improvement of the work in his department. It is considered that, in this way, the suggestions will at once be brought under the notice of the managers of primary schools, and the presidents of intermediate schools and of diocesan seminaries throughout the country; a necessary preliminary to their adoption in reference to the examination of students entering the College."

There is a large discrimination between the suggestion contained in the Memorandum, and the action taken upon it by the Trustees. The former made the elementary study of music—or rather, we should say, the *most* elementary study of music—a necessity for the preparatory schools; while the latter made that study simply a matter of recommendation to these schools. Nevertheless, the author of the

Memorandum "is not wanting in confidence" that even such a recommendation will produce good fruit. We venture to doubt that it will produce much fruit. For the entrance examination to a higher college is the standard officially set for the lower schools. In the press of competition these will not "waste time" in compassing what they are implicitly taught to consider merely the frills of education. And thus the vitious circle finds place—the future teachers of schools and priests of parishes and professors of seminaries will never insist on the possession by others of an ability they have not themselves acquired and have not been taught to esteem as worth any expenditure of time and effort in acquiring.

We believe, therefore, that the suggestion in the Memorandum should be made effective in the entrance examination. To put the recommendation into effect immediately would, no doubt, work serious hardship on some of the candidates for admission. For these have arrived at an age when it is very difficult—although not quite impossible—to acquire an "ear," if they are lacking in that fundamental requirement. What then shall be done with such candidates? Suppose they are not to be admitted to the seminary until they have acquired this elementary *sine qua non?* Then they must engage a private teacher, and spend all their energies for some time in supplying the deficiency. A hardship, truly. On the other hand, suppose they are admitted? Then they will go forth as priests who are unable to fulfil an essential requirement of the liturgy. For, with the amount of time grudgingly allotted to music in the seminaries, they cannot receive the attention which, to be adequate to their needs, must come from a teacher who can give them individual and long-continued training. Even if time and teacher were supplied by the seminary, we should simply face another hardship; but now the hardship would be shared, without being lessened, by both pupil and professor.

But let us pass on, without pressing this argument, to an alternative suggestion we desire to make. The seminaries need not make the test of an "ear" a matter of immediate operation, but might make the *immediate declaration* to the

preparatory schools that such a test will require satisfaction at some fixed date in the future—let us say, in five or ten years hence. If such a declaration were couched in no tone of possible compromise, but with all the clearness and force possible to language, we surmise that the future training in music in our seminaries would be what it pretends at present to be—a course in ecclesiastical music for *all* the students.

Just here we anticipate the objection that a boy may have "an undoubted vocation" to the priesthood without possessing the least indication of a "musical ear." In answer it might be said that God always fits the back for the burden; that a vocation is always accompanied with its essential requirements; and that, therefore, an "ear" which is physiologically incapable of distinguishing the pitches of sound is the clearest of signs against a vocation in which the ability to sing is implied in a hundred functions of that vocation.

The objection can be met, however, in another way. The rarest of all the *lusus naturae* is the absolute lack of an "ear" due to insurmountable physiological difficulties. This fact is well recognized by voice-trainers. But the general public will be slow to admit it, for the reason that their attention is mostly directed to the ineffectual attempts of adults to supply the deficiency of "ear." What is true of the adult need not be—and is not true of the child who lacks the "musical ear." The child's ear will yield to musical culture while the man's may not. And the practical universality of the language of music still stands as an unimpeached fact. If a boy has a vocation to the priesthood, we may rest assured that he will possess at least a physiological, if not an ordinarily cultured, "ear," and will be susceptible, under proper culture, of an appreciation of scale relations.

Throughout this paper, we have been considering the recommendation made by Father Bewerunge, and we have ventured to amend it somewhat. If given effect either with or without our amendment, we think it would tend to place the musical status of our seminaries on a higher plane of efficiency. We still think, however, that the suggestions made in our paper of six years ago would be both feasible

and efficient. For if music were not looked upon as the Cinderella of the ecclesiastical studies—were not given a spare hour snatched from other "more important" pursuits —much could be done in the seminaries even with uncultured ears and harsh voices. We pointed to the pedagogical value of music-study, and quoted much high testimony to its utility from a physical, a mental, an aesthetic and an ecclesiastical point of view. This fourfold valuable result is a synchronous one; and therefore music-study finds in no other branch that can be named an equal pedagogical value. It seems a pity that only in our seminaries do we find a reversal of the traditions of the ages, and of the musical glories of the Church.

H. T. HENRY.

EDITOR'S NOTE.

Father Henry's reference to a previously published article on the subject of Music in our Seminaries induces us to give here a summary of that paper which appeared in the REVIEW in May, 1893, all the more as the issue of that year is entirely out of print and thus inaccessible to many of our present readers. Indeed, we should be glad to elicit discussion from those who are especially interested in the question of the present status of music in our seminaries. Father Henry's plea is "for more attention to vocal culture, and to the history and theory of ecclesiastical music, ancient and modern, than is ordinarily given to these subjects" in our ecclesiastical institutions. He argues the importance of music under the heads of General Culture, Special Culture, Comparative Utility, and Practical Suggestions.

MUSIC IN THE SEMINARY.

I.—GENERAL CULTURE.

In an age which finds a separate sphere of activity for every faculty of body and mind, which is so apt to educate hand at the expense of head, and head at the expense of

heart, it is a refreshing thing to meet the man whose culture is the product of education in its primary meaning—of a harmonious blending of his physical, mental and spiritual powers.

Now we might quote endless testimony of the highest authority in asserting the prerogatives of music in the culture of head, and heart and hand. "Plato and Aristotle agree in thinking that the rhythm and harmony of music inspire the soul with the love of order, with harmoniousness, regularity, and a soothing of the passions."[1] "Is it not, then," says Plato in his *Republic*, "on these accounts that we attach such supreme importance to a musical education, because rhythm and harmony sink most deeply into the recesses of the soul, bringing gracefulness in their train, and making a man graceful if he be rightly nurtured; but if not, the reverse?" . . . . .[2] We might show at length how this precious heirloom has come down to us through the *quadrivium* of the Middle Ages, in which it held an honored place. We might trace the religious pedigree of music from our own day, back through the Ages of Faith to the time when it brought sweetest tears to the eyes of St. Augustine; back through the apostolic ages till we find "great David's greater Son" singing the hymn with His disciples before going out to Mount Olivet; back to the Second Temple, in whose chanting, doubtless, the same Divine Master joined, "to fulfill all justice;" back to the splendid service of the First Temple; back to the canticle of Moses on the banks of the Red Sea; back to the morning hymn of creation, "when all the sons of God made a joyful melody." But music, the first-born of the arts, does not, or should not, need any recommendation either of pedagogy or of liturgics in these latter days.[3]

1 Compayré: *History of Pedagogy*, p. 20.

2 Version of Vaughan and Davies.

3 A certain Dr. Hanchett, a musician, wrote an article for the November number, 1890, of the *Voice Magazine*, on "The Mission of Music." The editor sent a list of questions to various prominent authors and educators, inviting criticism of the article. In justice let it be said that the

Nevertheless, while the culturing power of music is generally admitted, and the necessity of some familiarity with its genius and laws cheerfully conceded in theory, the utilitarian character of the age we live in has virtually, if not formally, constituted a new "specialty"—has branded it with a trade-mark, and made of it almost as distinct a profession as law or medicine; so that any one who for the sake of personal improvement essays acquiring a becoming mediocrity in the science or art of music is weighed, not in the balance of general culture, but in that of trade skill, and is forthwith dubbed an "amateur." That this tendency, from

opinions passed on the position of music in the "fine arts," its power for good in training the character, its value as a mental discipline, etc., ran through the whole range of favorable and adverse criticism. Whilst no question was put as to its position in the curriculum of colleges, some of the correspondents chose to allude to that phase of the subject. We beg indulgence for a few extracts. Julian Hawthorne says: "Music differs from all other arts or sciences. Its objects and effects are distinct. For that reason music is the most valuable single element in our present scheme of education." T. W. Higginson, the historian, ranks music "higher than any art except the highest poetry." President Low, of Columbia College, says: "It is a refining, civilizing art. It tunes my mind up, often a whole octave. It lifts me into the altitudes of my soul. It pushes all life and pettiness and humdrum cares out of sight." President Hall, of Clark University, ranks music "very high." President Bashford, Ohio Wesleyan University: "Our present education is too purely mental. Education should develop the mental, physical and moral power of the student . . Music tends to develop both the imaginative and emotional faculties, but these faculties are generally neglected by the ordinary school curriculum. I would, therefore, rank music as worthy of insertion in the school and college curriculum, because it cultivates the imaginative and emotional faculties, and thus contributes to that well-rounded development which should be the object of all education." President Grose, University of S. Dakota: "He seems to think that the study of music alone should yield all of character. As well decry the study of mathematics because it does not make one a good grammarian or kindly in disposition. Music is one factor in character-building." He ranks music "as one of the chief educators of the aesthetic faculty, which must be developed if a symmetrical character is to be obtained." May we give a Shakespearean turn to the discussion?

"The man that hath no music in himself,
And is not moved with concord of sweet sounds,
Is fit for treasons, stratagems and spoils."

Merchant of Venice. Act. V., Sc. I.

a pedagogical point of view, seems to be false and misleading, we should not be required to prove. But we call attention to the tendency here because there is reason to fear that it has made some progress even in the conservative atmosphere of the Catholic seminary, and that it is in some measure responsible for the present peculiarly degenerate state of church music—a state for the bettering of which so many able and pious and energetic musicians now labor in vain.

We began to plead the cause of music from the stand-point of general culture, and we find ourselves unconsciously shifting to the vantage-ground of a utilitarian argument. This latter, indeed, it was our main intent to occupy, albeit we leave with regret the splendid array of argument which the former would present for winning attention to

> The higher things
> Lost with base gain of raiment, food and roof.

Without yielding the point that a sufficient vindication of the high offices of music may be found in the personal advantages gained by its faithful wooers, we shall borrow wisdom from the methods of the present age, and shall make a plea from the rostrum not of the more real, but of the more obvious utility of the study of music.

II.—SPECIAL CULTURE.

What are the uses to which music, the universal heirloom of mankind, should be put? What golden threads of musical culture should give strength and beauty to the texture of *Ecclesiastical* education?

a.—Church Music.

We spoke of the present degraded status of church music. It is a status that has called forth much comment in public and private. Reasoning, and wit, and satire have exhausted themselves to little purpose. After all, if any reform is to be made in the present state of affairs, should it not be championed, inaugurated, and carried on by the great body

of the priesthood? Councils and synods may preach the higher things, and point the way to their attainment—a sign-post shall never bring the listless traveler to his destination. The desideratum seems to be: first, an intelligent appreciation of what church music *should be*, and what it really is, at present; and secondly, the ability to enter into an intelligent discussion of the means proper for restoring the service of our temples to a position in the musical proprieties demanded by its very nature. But does the seminary aim at imparting any instruction in these matters to its alumni as a body? Is the study of the history and characteristics of sacred music an integral and necessary part of the curriculum? On the contrary, does not the possession of any musical ability by a student constitute him a *specialist*, and not, as it should, merely an abler man amongst his musically-educated fellows? The use which a priest has for a knowledge of geometry, of history, of Latin metres, nay of Canon Law and General Liturgy, cannot be shown to be of more practical moment in his official duties, than the many uses which he has for a knowledge of music. To pass over, for a moment, the imperative function of music in all the solemn offices of the liturgy, we need but instance the practical questions which are at this time clamoring for solution—what kind of music should be considered sacred? what kind may be tolerated by the priest, *meliora sperante*, for the present? what kind may he not brook for a moment? what are the possibilities and advantages of congregational singing? what those of Cecilian music? what those of Gregorian chant? how shall we encourage and properly direct vocal music in the school? how shall we train up the young to an appreciation, as well as a recognition, of the higher music which refines the taste, as opposed to the lighter, more trivial, more sensuous, which may lower the moral as well as the mental tone of the younger folk? How shall the *personnel* of the choir be regulated—by ability purely, or zeal purely, or piety as well as ability? and so on to the end of the chapter. However reasonable this comparison between music and the other branches of instruction cited by way of

example may be, the fact still remains that at the end of his course in the Catholic seminary the student that showed special aptitude for any of these latter studies does not find himself, and is not considered, a specialist ; but he does find a companion, not brighter in musical knowledge than he himself was in Latin or Canon Law, the *rarissima avis* of a specialist.

b.—Plain Chant.

In estimating the comparative utility of music, we said we should pass over, for a moment, the *imperative* functions of music in the solemn offices of the liturgy. Here, of course, the strongest argument might be made for a thorough training within, at least, the limits of the Gregorian Chant. For the celebrant and the ministers at the altar, no vicarious fulfilment of legal prescription shall be tolerated. Liturgically speaking, they *must* sing. And so councils and synods have provided some place in the curriculum for plain chant. It has the same reason for existence in such a place, as the study of Rubrics and General Liturgy. But having said this, we have not said all—we have not said enough. The strange fatality which has been pursuing music has made this common gift of nature—a gift practically co-extensive with that of voice and language—a rare enough specialty in seminaries, even within the province of liturgical necessity. The stubborn facts seem to be not only that plain chant has lost caste, but that it has well nigh sunk out of recognition. No itching of the fingers shall succeed in diverting us into a rhapsody on the subject of Gregorian music. We *will not* say that its "heavenly melodies" must have approached the dignity of inspiration ; we will not quote any of the striking testimonies of musicians friendly and inimical to the Church, as to the inherent majesty and power of the liturgical song, or the peculiar fitness its traditional use, its venerable antiquity, its freedom from all worldliness, vanity or sensual suggestiveness, have given it for clothing the words of the sacred text in becoming drapery. This has been already said, and well said, and often said. And if we should dare

to repeat any of that glowing eulogy, it would be for the purpose of calling attention to the incredulous smile, perhaps the undisguised sneer we should provoke.

Caste has been lost for it, surely, in the musical world. Of that we do not propose to speak; nor, indeed, of the amount of clerical humor, too, expended on the subject. But worthy of note is the fact that it has lost *caste* even in the sisterhood of the ecclesiastical sciences. Possessing as eminent a right to recognition as General Liturgy, the tacit understanding amongst all seems to be that while the details of ceremonial should be carefully attended to, any kind of rendition of plain chant will suffice. The man who tries to sing the melody as indicated—in the missal, even—is doing the chant "honor overmuch." The fatuity which gives birth to such a principle of action is another remarkable element in the downward path of Gregorian chant. A first principle in the ceremonies is that decorum be observed—for may not the infinite detail of the rubricists be reduced, in the last analysis, to the most decorous way of doing something which is a necessary part of the liturgy? And thence, we conceive, comes the unwritten law of making a mistake in "ceremonies" as gracefully as possible—"so that no one will be the wiser?" Strange fatuity! We are punctilious in observing the directions of the rubricists—a matter in which many years' study cannot give us more than a mediocre success, and a subject peculiarly foreign to the knowledge, and so often, alas! to the interest of the faithful—and all the while we care little or nothing for decorum in the singing, a thing which is as common a possession as language; a subject in which the very children of the congregation may play the part of judges. The seminarian who is in sacred orders will wax warm in defense of the exact degree of profundity in his reverences to the celebrant, and will make merry sport of his weirdly original *Ite missa est.* Nevertheless, while the faithful may not be proficient in geometry or rubrics, they may be depended upon to have a pair of ordinary ears, and all the beauty of ceremonial will be lost in the echoes, both in and out of the church, of our

last cacophony. Let us not be understood as speaking in any slighting way of the least of the ceremonies of the Church. We should heartily deprecate such a suspicion, even if the assurance of St. Theresa that she would lay down her life willingly for the observance of each of them were not ringing in our ears. Nay, rather, for the very sake of reverence are we insisting on a decorous performance of one portion of the liturgical service. Do we "despise the small things" in lifting up from the dust the greater? But we must be careful lest, while conscientiously tithing mint and anise and cummin, we leave the weightier things of the liturgical law.

III.—COMPARATIVE UTILITY OF MUSIC.

We venture therefore to submit that such a state of affairs as we have described is, to say the least, one-sided and infelicitous. It is also, we think, pedagogically erroneous. Viewed from the standpoint even of a rigid and narrow utilitarianism, it is a sad neglect of the "practical" advantages of education. If we should seek a reason for this neglect, we should doubtless find the double excuse given of "no time for musical instruction," and "those that have 'ears' don't need it, and those that have not 'ears' couldn't profit by it." The answer to the former might be that in education the evolutionary formula of "survival of the fittest" should, perhaps, be a potent factor in the determination of what few branches shall be selected for the curriculum out of the one hundred and one that clamor for some recognition. But such a principle may well be modified by the other, that "the weak have rights which the strong are bound to respect." The question, then, cannot be peremptorily settled by a final triumphant appeal to the paramount importance of theologics and philosophics, and liturgics *et id genus omne.* Again we fear the man of one book! A scientific pedagogy will regard the usefulness of any special branch of education as a function (to borrow a geometric term) of the results gained divided by the time spent in

gaining these results. If we apply this formula to the various branches of study in the clerical curriculum, we shall not find music the lowest in the scale of utility. We do not propose to enter upon a laborious calculation of the *utilities*, but shall at once proceed to point out some of the *synchronous* results of musical instruction. These may be divided into physical, mental and æsthetic, if we regard vocal music merely as a factor in what is primarily meant by "education."

It is a patent fact that the long and necessarily severe course of preparation for the high dignity of the priesthood is too apt to strengthen the spiritual at the expense of the animal and vegetative faculties of students. The dark embers give a weird emphasis to the inner fire they can feed no longer. The necessities of our poor clay are humiliating, certainly, but they are stern facts; and a well-rounded culture dare not despise them. Juvenal's proverb about the *mens sana* is nevertheless more remarkable for the endless and universal indifference shown by mankind towards its great lesson, than either for its happy truth, or its venerable antiquity. We are forever killing the hen that lays the golden eggs. The school-room and the school curriculum have come down to us through the misty ages as one unmistakable object lesson of how-not-to-do-it. Seminaries have not been worse off in this respect than other schools, but their very lengthy course has served to emphasize the principle better. The protests of physicians are, however, at last listened to with some respect, and have resulted in better lighted and better ventilated halls, and various systems of calisthenics for the lower schools, and in the many athletic associations of the colleges and universities. But one very thoughtful recommendation has not been listened to with much deference, or at least, with much result—we mean the introduction, into schools, of vocal practice. In another place[1] we have pointed to the fact that "the benefit to the physical nature, in developing and strengthening the

1 Course of Study for the Philadelphia Parochial Schools.

lungs by deep respirations, places it on a level with calisthenics. Without claiming for it all the 'innumerable advantages' described by physicians of various ages, we may simply note here the comparatively recent testimony of Colombat de l'Isère, who believed it to be a great guard against epidemic diseases. But we may not omit the striking testimony of an eminent English authority of the present day, Gordon Holmes, whose position as physician to the Edinburgh Municipal Throat and Ear Infirmary, and of *chef-de-clinique* at the Hospital for Diseases of the Throat, entitled his opinion to special consideration. He says: 'The general well-being of the constitution is promoted by voice-practice, because the wider chest movements accelerate the circulation of the blood, at the same time that they cause a more ample flow of fresh air in and out of the lungs. . . . And, moreover, these effects have a certain permanency on account of the gains to the thoracic capacity derived from the habitual increase of lung expansion necessitated by constant vocal exercise.'"[1]

But while other physical exercises develop and strengthen particular muscles and sinews, and contribute therefore only generally to the well-being of the body, vocal exercise directly develops the power of voice-production, and therefore directly strengthens that organ of the body which in a priest is too often the weakest and yet the most necessary in his public ministry. This thought opens out wide vistas of demonstration of its utility which, however, we may not enter upon now.

The purely physical value of singing places it, therefore, on a level with calisthenics. But besides this, music has what calisthenics has not, the concomitant element of a strong mental stimulus and disciplinary power. A writer in the *Normal Review* has pointed out that "Music, when rightly studied, becomes a *means of mental discipline* over which mathematics, with all its boasted glory, can claim no superiority. Any one who sings will acknowledge at once

1 A Treatise on Vocal Physiology and Hygiene, etc., p. 217.

that no problem in arithmetic calls for a keener use of the perceptive faculties than does the singing, at sight, of a difficult piece of music." We shall not discuss the æsthetic gains resulting from vocal culture. We have already, in the first part of this essay, hinted at some of them. But we may note here that not a little of the difficulty that stands at present in the way of congregational singing would be removed, as the priest would then be in fact, what he is in theory, the natural exponent and teacher of ecclesiastical music.

IV.—A SUGGESTION.

We should, then, recommend a course of instruction in vocal music, extending throughout the whole of the seminary course, and if possible, through the whole of the preparatory collegiate course.

a. Class Practice.

Fifteen minutes' daily practice would soon demonstrate, better than many words, the justice of our plea. Indeed, under a competent teacher, a few months of such practice would yield, even in the most obdurate cases, little short of musical miracles. And here we glance for a moment at the second objection urged against spending time in the study of music, viz., that instruction and practice are quite unnecessary for any one who has a "voice" and an "ear," and hopelessly useless for any one who has not. We need scarcely say that such a plea can have currency only where the stock of musical information is of the scantiest kind. The limits of our essay will not admit a proof of the statement; nor, indeed, as we are not addressing novices in music or educational matters, is there any necessity for proof. But from the double fact that good voices and good ears require culture, and that defective ones can by culture be vastly improved, we beg to insist again on what we conceive to be a first requisite in any musical course in our seminaries, namely, daily voice-practice. By this, intonation could be made correct and secure; volume could be

marvellously improved; the *timbre* could be made much more pleasing. We should then have a demonstration that the rarest of the *lusus naturae* is an absolute lack of responsiveness to melody—the *bête noir* of a bad ear. In his own experience in the class-room the present writer has found ample demonstration of the power which even scant vocal practice has for improving volume and intonation and *timbre*. He has found classes bashful, listless, discouraged; he has left them hopeful, energetic, and filled with a pleasing sense of security in their ability to sing. Singing, like swimming, is a natural operation; but, like it, requires some courage for the first plunge. He has found the patient drilling of a few lessons changing what sounded at first like the confused murmur of distant seas into a rich, round, decided, choral unison. Defective ears, slovenly intonation, and harsh voices, together with listlessness and vocal mannerisms, were responsible for the former; a little effort and patient practice for the latter.

b.—Individual Culture.

While the class could be made to join ultimately in the exercises as a whole, sufficient time should be given to individual voice practice first of all. This is indeed, the most important part of the training. In a Catholic seminary there should be no class of "incurables"—to borrow a word from the Rev. Arthur Ryan. Too often, alas! we charge to nature the results of our own carelessness and physical improvidence. The eve of ordination is hardly the proper time for beginning to realize the fact that the liturgical offices generally require singing as a *sine qua non* of their performance, and that both ear and voice declare their utter unfitness for the task. Shall we say that nature has played the step-mother to us? That no one can remedy a congenital defect?

c.—History and Theory.

Side by side with voice culture should begin some instruction in the elementary theory of music, the conventional modes, ancient and modern, of representing sounds to the

eye, the nature of intervals, etc. The history of church music would furnish occasional variety and give interest to a subject which is, however, by no means a dry one. Some *obiter dicta* in the Pastoral Theology of church music, some suggestions about "our choir," "our organists," "our solo-music," might not be amiss; and if they were made in the spirit of their subject, could not fail to provoke a healthy laughter. In fine, the class might be constantly reminded of the words of St. Bernard: "Sunt quidam voce dissoluti, qui vocis suae modulatione gloriantur, nec tantum gaudent de dono gratiae, sed etiam alios spernunt. Tumentes elatione aliud cantant, quam libri habeant, tanta est levitas vocis, forsitan et mentis. Cantant ut placeant populo magis quam Deo." Insistence should be laid on singing the exact melodies of the chant, on the ground that beauty unadorned is, especially in plain chant, adorned the most. Thus on the basis of nature might be built a decent superstructure of a knowledge of ancient and of modern tonalities—the former necessary for the priest in his sacred functions, and the latter able to clothe, with other than merely official authority, his supervision of the music performed in his church.

ANALECTA.

LITTERAE APOSTOLICAE.

I.

SANCTISSIMI DOMINI NOSTRI LEONIS DIVINA PROVIDENTIA

PAPAE XIII.

EPISTOLA ENCYCLICA AD ARCHIEPISCOPOS EPISCOPOS ALIOSQUE LOCORUM ORDINARIOS FOEDERATARUM CIVITATUM CANADENSIUM PACEM ET COMMUNIONEM CUM APOSTOLICA SEDE HABENTES.

VENERABILIBUS FRATRIBUS

Archiepiscopis Episcopis Aliisque Locorum Ordinariis Foederatarum Civitatum Canadensium Pacem et Communionem Cum Apostolica Sede Habentibus.

LEO PP., XIII.

VENERABILES FRATRES,

Salutem et Apostolicam Benedictionem.

Affari vos, quod perlibenter atque amantissime facimus, vix Nobis licet, quin sua

LEO XIII., POPE.

VENERABLE BRETHREN,

Health and the Apostolic Benediction.

It is not possible for Us to address you—which We most gladly and lovingly do—with-

sponte occurrat animo vetus et constans apostolicae Sedis cum Canadensibus vicissitudo benevolentiae consuetudoque officiorum. Ipsis rerum vestrarum primordiis comitata Ecclesiae catholicae caritas est: maternoque s e m e l acceptos sinu, amplexari vos, fovere, beneficiis afficere numquam postea desiit. Certe immortalis vir Franciscus de Laval Montmorency, primus Quebecensium episcopus, quas res proavorum memoriâ pro salute publica felicissime sanctissimeque gessit, auctoritate gratiaque subnixus romanorum Pontificum gessit. Neque alio ex fonte auspicia atque orsus agendarum rerum cepere consequentes episcopi, quorum tanta extitit magnitudo meritorum. Similique ratione, si spatium respicitur vetustiorum temporum, non i s t u c commeare nisi nutu missuque Sedis apostolicae consuevere virorum apostolicorum generosi manipuli, utique c u m christianae sapientiae lumine elegantiorem cultum a t q u e

out there occurring to Our mind spontaneously the ancient and unbroken intercourse of love and dutiful communion of the Canadians of the Apostolic See. The charity of the Catholic Church is bound up with the very beginning of your history, and once you were received in her maternal bosom she never afterwards failed to embrace you, to cherish you, to load you with benefits. Certainly that immortal man Francis of Laval Montmorency, the first Bishop of Quebec, whatever things he is recorded in the grateful memory of your fathers to have accomplished most happily and most holily for the public welfare were accomplished by him relying on the authority of the Roman Pontiffs. Nor on any other basis did succeeding Bishops, whose merits were so magnificent, undertake the initiation of public affairs. And similarly, if We look at the time past, no action was taken without the advice and commission of the Apostolic See by the noble bands of apostolic men who went forth to spread with the light of Christian wisdom a fuller culture and the seeds of noble arts. And when these seeds

artium honestissimarum semina allaturi. Quibus seminibus multo eorum ipsorum labore sensim maturescentibus, Canadensium natio in contentionem urbanitatis et gloriae cum excultis gentibus sera, non impar, venit.—Istae sunt res Nobis omnes admodum ad recordationem iucundae: eo vel magis, quod earum permanere fructus cernimus non mediocres. Ille profecto permagnus, amor in catholica multitudine studiumque vehemens divinae religionis, quam scilicet maiores vestri primum et maxime ex Gallia, tum ex Hibernia, mox quoque aliunde, auspicato advecti, et ipsi sancte coluerunt et posteris inviolate servandam tradiderunt. Quamquam, si optimam hanc hereditatem tuetur posteritas memor, facile intelligimus quantam huius laudis partem sibi iure vindicet vigilantia atque opera vestra, venerabiles Fratres, quantam etiam vestri sedulitas Cleri: omnes quippe, concordibus animis, pro incolumi-

through their great labors had gradually grown ripe, the Canadian nation emulated the civilization and the glory of cultured peoples, if late, yet not unequally.

ZEAL FOR THE FAITH REWARDED.

All these things are very pleasant for Us to remember; and the more so that we see no small fruit of them remains, and that very great one especially, the love of the Catholic multitude and their energetic zeal for God's religion which your ancestors, first and especially from France, then from Ireland, and ultimately also elsewhere, auspiciously brought and practised holily themselves and handed to their children to be preserved inviolate. Wherefore, if a grateful posterity guards this best of all inheritances we easily understand how great a share in this praise is rightly due to your vigilance and labors, Venerable Brethren, and to the zeal of your clergy; for you all with one accord assiduously strive to safeguard and increase the Catholic cause, and this, to say sooth, neither against the wishes nor the consent of the laws of the British Empire.

tate atque incremento catholici nominis assidue contenditis, idque, ut vera fateamur, non invitis neque repugnantibus Britannici imperii legibus. Itaque communium recte factorum vestrorum cogitatione adducti, cum Nos romanae honorem purpurae Archiepiscopo Quebecensium aliquot ante annis contulimus, non solum ornare viri virtutes, sed omnium istic catholicorum pietatem honorifico afficere testimonio voluimus. — Ceterum de institutione laborare ineuntis aetatis, in qua et christianae et civilis reipublicae spes maximae nituntur, apostolica Sedes numquam intermisit, coniuncto vobiscum et cum decessoribus vestris studio. Hinc constituta passim adolescentibus vestris ad virtutem, ad litteras erudiendis complura eademque in primis florentia, auspice et custode Ecclesia, domicilia. Quo in genere eminet profecto magnum Lyceum Quebecense, quod ornatum atque auctum omni iure legitimo ad legum pontificiarum consuetudinem, satis testatur, nihil esse quod expetat studeatque apostolica Sedes vehementius, quam educere civium sobolem expolitam litteris virtute commendabi-

Whence, led on by the thought of all your good works, when We some years ago raised to the honor of the Roman purple the Archbishop of Quebec We intended not only to recognize the virtues of the man but to give an honorable testimony to the piety of the faithful there. But the Holy See never ceased to labor for the interests of a new era in which are placed the greatest hopes for Church and State with the zeal united with yours and that of your predecessors. So that everywhere, very many institutions were established, and those of the most flourishing character, for the instruction of your children in virtue and for their advancement in knowledge, among which takes first rank, the great Laval University at Quebec, which, adorned and furnished with all legitimate powers, in accordance with Pontifical legislation, witnesses that there is nothing which the Apostolic See more eagerly wishes and desires than to bring up the youth of the State adorned with knowledge and praiseworthy for virtue. Wherefore, with great anxiety, as you will easily conceive, We have had Our mind on those troubles which late years have

lem. Quamobrem summâ curâ, ut facile per vos ipsi iudicabitis, animum ad eos casus adiecimus, quos catholicae Manitobensium adolescentulorum institutioni novissima tempora attulere. Volumus enim et velle debemus omni, qua possumus, ope et cententione eniti atque efficere ut fides ac religio ne quid detrimenti capiant apud tot hominum millia, quorum Nobis maxime est commissa salus, in ea praesertim civitate quae christianae rudimenta doctrinae non minus quam politioris initia humanitatis ab Ecclesia catholica accepit. Cumque ea de re plurimi sententiam expectarent a Nobis, ac nosse cuperent qua sibi via, qua agendi ratione utendum, placuit nihil ante statuere, quam Delegatus Noster apostolicus in rem praesentem venisset: qui, quo res statu essent exquirere diligenter et ad Nos subinde referre iussus, naviter ac fideliter effectum dedit quod mandaveramus.

Caussa profecto vertitur permagni momenti ac ponderis. De eo intelligi volumus, quod septem ante annis legumlatores Provinciae Manitobensis concessu suo de disciplina puerili decrevere : qui scilicet,

brought in regard to the Catholic training of the children of citizens of Manitoba. For We wish, and must wish with all the strength and energy of which We are capable, to strive and to secure that Faith and that religion should suffer no harm among so many thousands of people whose interests are committed to Us especially, particularly in a State which received from the Catholic Church the rudiments of Christian doctrine as well as the commencements of the human arts. And when many people looked for an opinion from Us on this point, and desired to know what method they were to adopt or what principle they were to act on, We determined to settle nothing before Our Apostolic Delegate intimately understood the case ; who, being ordered to diligently inquire the true state of the case and at once refer to Us, ably and faithfully carried out Our commands.

RELIGIOUS EDUCATION THE ISSUE.

The matter is indeed one of very great and very weighty moment. We wish to bring to mind what seven years ago

quod leges Canadensis foederis sanxerant, pueros professione catholica in ludis discendi publicis institui educarique ad conscientiam animi sui ius esse, id ius contraria lege sustulere. Qua lege non exiguum i m p o r t a t u m detrimentum. Ubi enim catholica religio aut ignoratione negligitur, aut deditâ operâ impugnatur: ubi doctrina eius contemnitur, principiaque unde gignitur, repudiantur, illuc accedere, eruditionis caussâ, adolescentulos nostros fas esse non potest. Id sicubi factitari sinit Ecclesia, non nisi aegre ac necessitate sinit, multisque adhibitis cautionibus, quas tamen constat ad pericula declinanda nimium saepe non valere.—Similiter ea deterrima omninoque fugienda disciplina, quae, quod quisque malit fide credere, id sine ullo discrimine omne probet et aequo iure habeat, velut si de Deo rebusque divinis rectene sentias an secus, vera an falsa secteris, nihil intersit. Probe nostis, venerabiles Fratres, omnem

the legislators of the province of Manitoba decreed in session; who indeed took away a right which the laws of the Canadian Confederacy had established, namely, that Catholic children had a right to be taught and educated in the public schools in accordance with their conscientious beliefs. And their act did a grievous wrong. For where the Catholic religion is either ignorantly neglected or of set purpose attacked, where its teaching is despised and the principles on which it rests rejected, it cannot be lawful that our children for the sake of education should attend; and if in any place the Church permits such a thing to be, it allows it only grudgingly and under necessity, and applies many preventives, which, however, experience proves to be not often able to prevent the danger. And likewise that pestilential and ever to-be-avoided practice must be opposed which teaches that whatever a man wishes to believe he may without any danger approve, and has an equal right to think that there is no difference whether he holds right or wrong views about God and divine things, whether he follows truth or falsehood. You well know, Venerable Brothers, that all educational views of such a nature are condemned by the judgment of the Church, for

disciplinam puerilem, quae sit eiusmodi, Ecclesiae esse iudicio damnatam, quia ad labefactandam integritatem fidei tenerosque puerorum animos a veritate flectendos nihil fieri perniciosius potest.

Aliud est praeterea, de quo facile vel ii assentiantur, qui cetera nobiscum dissident: nimirum non mera institutione litteraria, non solivaga ieiunaque cognitione virtutis posse fieri, ut alumni catholici tales e schola aliquando prodeant, quales patria desiderat atque expectat. Tradenda eis graviora quaedam et maiora sunt, quo possint et christiani boni et cives frugi probique evadere: videlicet informentur ad ipsa illa principia necesse est, quae in eorum conscientia mentis alte insederint, et quibus parere et quae sequi debeant, quia ex fide ac religione sponte efflorescunt. Nulla est enim disciplina morum digna quidem hoc nomine atque efficax, religione posthabita. Nam omnium officiorum forma et vis

nothing has a more pernicious influence in destroying the integrity of the faith and in leading the tender minds of children from the truth.

WE MUST HAVE CATHOLIC SCHOOLS.

And there is this, moreover, to which even those who disagree with us on other matters without difficulty assent, namely, that not by merely literary education, not by any vague and superficial knowledge of virtue is it possible that such Catholic scholars should be produced as a country wants and expects. Weightier and greater are the teachings which will make them good Christians and fruitful and honest citizens; it is necessary that they should be informed by those principles which are deeply seated in their conscience and which they must obey and follow because they spring spontaneously from religion and from faith. For there is no moral discipline worthy of the name or efficient if religion be removed. For the life and soul of all duty rises specially from those duties which bring men into communion with God, who commands and for-

ab iis officiis maxime ducitur, quae hominem iungunt iubenti, vetanti, bona malaque sancienti Deo. Itaque velle animos bonis imbuere moribus simulque esse sinere religionis expertes tam est absonum quam vocare ad percipiendam virtutem, virtutis fundamento sublato. Atqui catholico homini una atque unica vera est religio catholica: propterea nec morum is potest, nec religionis doctrinam ullam accipere vel agnoscere, nisi ex intima sapientia catholica petitam ac depromptam. Ergo iustitia ratioque postulat, ut non modo cognitionem litterarum alumnis schola suppeditet, verum etiam eam, quam diximus, scientiam morum cum praeceptionibus de religione nostra apte coniunctam, sine qua nedum non fructuosa, sed perniciosa plane omnis futura est institutio. Ex quo illa necessario consequuntur: magistris opus esse catholicis: libros ad perlegendum, ad ediscendum non alios, quam quos episcopi probids, who orders good and reproves evil. Wherefore it is as foolish to wish to imbue minds with right moral principles while they are allowed to be deprived of religion as to call them to recognize virtue when the foundation of virtue has been removed. Now, to a Catholic the Catholic religion is one and the only one; wherefore he can neither accept nor recognize any moral or religious teaching unless it is sought for and derived from intrinsic Catholic sources. Therefore, justice and reason demand that the school supplies to every scholar not only a knowledge of literary character, but also, as we have said, that knowledge of morality joined with precepts taken from our religion without which assuredly all education will be not only unfruitful but injurious. From which these consequences naturally follow; the teachers must be Catholics, and the books that are read and from which scholars are taught must be such as the bishops approve. There must be unfettered power of arranging and ruling the discipline, so that the whole system of teaching and of learning shall exactly agree and

barint, assumendos: liberam esse potestatem oportere constituendi regendique omnem disciplinam, ut cum professione catholici nominis, cumque officiis quae inde proficiscuntur, tota ratio docendi discendique apprime congruat atque consentiat.—Videre autem de suis quemque liberis, apud quos instituantur, quos habeant vivendi praeceptores, magnopere pertinet ad patriam potestatem. Quocirca cum catholici volunt, quod et velle et contendere officium est, ut ad liberorum suorum religionem institutio doctoris accommodetur, iure faciunt. Nec sane iniquius agi cum iis queat, quam si alterutrum malle compellantur, aut rudes et indoctos, quos procrearint, adolescere, aut in aperto rerum maximarum discrimine versari.

Ista quidem et iudicandi principia et agendi, quae in veritate iustitiaque nituntur, nec privatorum tantummodo, sed rerum quoque publicarum continent salutem, nefas est in dubium revocare, aut quoque modo deserere. Igitur cum puerorum catholicorum institutionem debitam insueta lex in Manitobensi Provincia perculisset, vestri muneris fuit,

coincide with the belief of the Catholic faith and the duties which thence arise. And it especially concerns fathers, each one to see with regard to his children, with whom they are trained and what teachers of conduct they possess. Wherefore when Catholics wish, as it is their duty to wish, and to strive to obtain that the belief of the teacher should be in accordance with the belief of their children, they are acting within their rights. Nor could a more iniquitous action be taken with them than to compel them to adopt one or other of these courses—either to bring up their children unlearned and uneducated or to expose them to the clear danger of loss of faith.

IN UNION LIES VICTORY.

These principles of thought and action which stand on truth and justice and affect the welfare not alone of individuals, but of the commonwealth, it is impious to call in question or in any way to desert. Therefore when the new law in the province of Manitoba struck at the rightful education of Catholic children it was your duty, brethren, pub-

venerabiles Fratres, illatam iniuriam ac perniciem libera voce refutare: quo quidem officio sic perfuncti singulis estis, ut communis omnium vigilantia ac digna episcopis voluntas eluxerit. Et quamvis hac de re satis unusquisque vestrum sit conscientiae testimonio commendatus, assensum tamen atque approbationem Nostram scitote accedere: sanctissima enim ea sunt, quae conservare ac tueri studuistis, studetis.

Ceterum incommoda legis Manitobensis, de qua loquimur, per se ipsa monebant, opportunam sublevationem mali opus esse concordiâ quaerere. Catholicorum digna caussa erat, pro qua omnes omnium partium aequi bonique cives consiliorum societate summaque conspiratione voluntatum contenderent. Quod, non sine magna iactura, contra factum. Dolendum illud etiam magis, catholicos ipsos Canadenses sententias concorditer, ut oportebat, minime in re tuenda iunxisse, quae omnia to oppose the danger and the injury arising therefrom; and this duty you have every one done so completely that the general vigilance of you all, and your wishes, worthy of you as Bishops, shone clear before us. And although in this matter each of you is sufficiently approved by the testimony of his conscience, know that your action has Our assent and Our approval; for those things are most holy which you have striven and strive yet to maintain and defend.

But the grievances produced by the Manitoba law of which we speak, indicated of themselves that a fitting remedy for the evil was to be sought in a peaceful manner. The cause was one which demanded combination and the most effective co-operation on the part of all fair-minded and worthy citizens of every party. The contrary, however, is what occurred, not without great detriment. It is still more to be regretted that the Canadian Catholics themselves by no means united, as they ought to have done, in defending a cause which so closely affects them all, and the vast interest and importance of which

nium interest plurimum : cuius prae magnitudine et pondere silere studia politicarum rationum, quae tanto minoris sunt, necesse erat.

Non sumus nescii, emendari aliquid ex ea lege coeptum. Qui foederatis civitatibus, quique Provinciae cum potestate praesunt, nonnulla iam decrevere minuendorum g r a t i â incommodorum, de quibus expostulare et conqueri catholici ex Manitoba merito insistunt. N o n est cur debitemus, s u s c e p t u m id aequitatis amore fuisse consilioque laudabili. Dissimulari tamen id quod res est, non potest : quam legem ad sarcienda damna condidere, ea manca est, non idonea, non apta. Multo maiora sunt, quae catholici petunt, quaeque eos iure petere, nemo neget. Praeterea in ipsis illis temperamentis, quae excogitata sunt, hoc etiam inest vitii quod, mutatis locorum adiunctis, carere effectu facile possunt. Tota ut res in breve cogatur, iuribus catholicorum educa-

should have ensured the subordination of political ambitions, matters of such inferior consequence.

THE PROPOSED MEASURE INADEQUATE.

We are not unaware that some measures have been undertaken with the view of amending the law. Those in authority over the Federated States and the Province have already arrived at certain decisions for the purpose of lessening the grievances against which the Catholics of Manitoba rightly continue to raise their voices in protest and complaint. We have no reason to doubt that this was done through a love of fair-play and with a laudable design. Yet what the fact really is cannot be disguised : the law which was passed to repair the evil is defective, unsuitable, inadequate. Let no one deny that the Catholics claim, and rightly claim, much more. Besides, the arrangements decided on have this fault, that with a change in the local circumstances they may easily fail in their effect. To state the whole matter briefly, enough has not yet been done in Manitoba to satisfy the

tionique puerili nondum est in Manitoba consultum satis : res autem postulat, quod est iustitiae consentaneum, ut omni ex parte consulatur, nimirum in tuto positis debitoque praesidio septis iis omnibus, quae supra attigimus, incommutabilibus augustissimisque principiis. Huc spectandum, hoc studiose et considerate quaerendum.— Cui quidem rei nihil obesse potest discordiâ peius : coniunctio animorum est et quidam quasi concentus actionum pernecessarius. Sed tamen cum perveniendi eo, quo propositum est et esse debet, non certa quaedam ac definita via sit, sed multiplex, ut fere fit in hoc genere rerum, consequitur varias esse posse de agendi ratione honestas easdemque conducibiles sententias. Quamobrem universi et singuli meminerint modestiae, lenitatis, caritatis mutuae : videant ne quid in verecundia peccetur, quam alter alteri debet: quid tempus exigat, quid optimum factu videatur, fraterna unanimitate, non sine consilio vestro, constituant, efficiant.

rights of Catholics and provide for the education of the young; but the case requires that, in accordance with justice, proper provision should be made in every respect, those unchangeable and sacred principles which we have touched on above being securely preserved and safeguarded. This is the object which should be aimed at and striven for with zeal and prudence. Its attainment nothing tends more effectually to prevent than discord. Unity of mind and a certain harmony of action are very necessary. Yet, as there is not a fixed and definite path to the goal which is and ought to be sought, but many ways lead to it, as usually happens in affairs of this kind, it follows that there may be various excellent and acceptable opinions as to the policy to be pursued. Wherefore let all and each bear in mind the value of moderation, gentleness, and mutual charity ; let none forget the respect due to his neighbor ; let Catholics arrange and carry out, with brotherly unanimity, but not without taking your advice, whatever is demanded by the occasion and appears best to be done.

Ad ipsos ex Manitoba catholicos nominatim quod attinet, futuros aliquando totius voti compotes, Deo adiuvante, confidimus. Quae spes primum sane in ipsa bonitate caussae conquiescit: deinde in virorum, qui res publicas administrant, aequitate ac prudentia, tum denique in Canadensium, quotquot recta sequuntur, honesta voluntate nititur. Interea tamen, quamdiu rationes suas vindicare nequeant universas, salvas aliqua ex parte habere ne recusent. Si quid igitur lege, vel usu, vel hominum facilitate quadam tribuatur, quo tolerabiliora damna, ac remotiora pericula fiant, omnino expedit atque utile est concessis uti, fructumque ex iis atque utilitatem quam fieri potest maximam capere. Ubi vero alia nulla mederi ratione incommodis liceat, hortamur atque obsecramus, ut aucta liberalitate munificentiaque pergant occurrere. Non de salute ipsorum sua, nec de prosperitate civitatum mereri melius queant, quam si in scholarum puerilium tuitionem contulerint, quantum sua cuique sinat facultas.

ACCEPT PARTIAL CONCESSIONS.

As to what regards particularly the Catholics of Manitoba, We are confident that, with God's help, they will one day obtain all they desire. This confidence is based, above all, on the goodness of their cause ; next on the justice and wisdom of those who exercise public authority ; and finally on the good-will of all upright Canadians. Meanwhile, so long as they cannot secure all their rights, let them not refuse partial satisfaction of their claims. If, then, by law, or custom, or the good disposition of the people, anything be granted by which the grievances are made more tolerable and the dangers more remote, it is by all means expedient and advantageous to make use of the concessions and to derive the greatest benefit possible from them. Where, however, their grievances can be remedied in no other way, We exhort and conjure them to do what is needful by increased liberality and generosity. They can do nothing more serviceable for their own salvation and for the welfare of the states than to contribute what their means will allow to the schools for the education of the young.

Est et aliud valde dignum, in quo communis vestra elaboret industria. Scilicet vobis auctoribus, iisque adiuvantibus, qui scholis praesunt, instituere accurate ac sapienter studiorum rationem oportet, potissimumque eniti ut, qui ad docendum accedunt, affatim et naturae et artis praesidiis instructi accedant. Scholas enim catholicorum rectum est cum florentissimis quibusque de cultura ingeniorum, de litterarum laude, posse contendere. Si eruditio, si decus humanitatis quaeritur, honestum sane ac nobile iudicandum Provinciarum Canadensium propositum, augere ac provehere pro viribus expetentium disciplinam institutionis publicam, quo politius quotidie ac perfectius quiddam contingat. Atqui nullum est genus scientiae, nulla elegantia doctrinae, quae non optime possit cum doctrina atque institutione catholica consistere.

Hisce omnibus illustrandis ac tuendis rebus, quae hactenus dictae sunt, possunt non

WELL-TRAINED TEACHERS A NECESSITY.

There is another very worthy object to which your united efforts should be directed. Under your guidance and with the aid of the school managers a careful and wise system of instruction should be established, and every possible precaution should be taken that those who engage in the work of teaching possess ample natural ability and are well trained. For it is right that the Catholic schools should be able to compete in mental culture and literary acquirements with any other schools, however flourishing they may be. If the purpose be to ensure learning and refinement, the intention of the Canadian provinces in advancing and raising the standard of teaching as far as the capacities of the candidates will permit, so that a greater degree of polish and perfection may be continually attained, must, indeed, be regarded as honorable and noble. But there is no kind of science, no refined knowledge, which cannot most happily harmonize with Catholic doctrine and education.

LET THE CATHOLIC PRESS DO ITS DUTY.

In explaining and defending the points we have laid down no slight service can be ren-

parum ii ex catholicis prodesse, quorum opera in scriptione praesertim quotidiana versatur. Sint igitur memores officii sui. Quae vera sunt, quae recta, quae christiano nomini reique publicae utilia, pro iis religiose animoque magno propugnent: ita tamen ut decorum servent, personis parcant, modum nulla in re transiliant. Vereantur ac sancte observent episcoporum auctoritatem, omnemque potestatem legitimam: quanto autem est temporum difficultas maior, quantoque dissensionum praesentius periculum, tanto insistant studiosius suadere sentiendi agendique concordiam, sine qua vix aut ne vix quidem spes est futurum ut id, quod est in optatis omnium nostrum, impetretur.

Auspicem caelestium munerum benevolentiaeque Nostrae paternae testem accipite apostolicam benedictionem, quam vobis, venerabiles Fratres, Clero populoque vestro peramanter in Domino impertimus.

Datum Romae apud S. Petrum die viii. Decembris, An. MDCCCLXXXXVII., Pontificatus Nostri vicesimo.

LEO PP. XIII.

dered by those Catholics who write for the public, especially through the daily press. Let them, therefore, be mindful of the duty that lies upon them. Let them fight with earnestness and courage for what is true, right, and of advantage to Christianity and the State, but in such a way as to maintain decorum, to avoid personalities, and to observe moderation rigidly. Let them respect and faithfully obey the authority of the Bishops and every legitimate power. The greater the difficulties amidst which they find themselves, the more imminent the danger of dissension, so much the more zealously should they strive to advocate harmony of thought and action, without which there is no hope, or, at least, scarcely a hope that what we all desire will be secured.

As a pledge of heavenly blessings and of Our paternal good will, accept the Apostolic benediction, which We impart most lovingly in the Lord to you, Venerable Brethren, and to your clergy and people.

Given at St. Peter's, Rome, on the 8th December, 1897, the twentieth year of Our Pontificate.

LEO XIII., POPE.

II.

DIVISIO DIOECESIS BUFFALENSIS NOVAQUE DELIMITATIONE CONTIGUAE DIOECESIS ROFFENSIS, IN STATIBUS FOEDERATIS AMERICAE SEPTENTRIONALIS.

LEO PP. XIII.

Ad Perpetuam Rei Memoriam.

Quum ex Apostolico munere, quo fungimur, ecclesiarum omnium cura Nobis sit demandata divinitus, ea libenti animo exequimur, quae rei sacrae procurationi melius gerendae facere possunt, et interposita ad hoc auctoritate Nostra novas, quum gravis momenti rationes id persuadeant, inimus dioecesium circumscriptiones. Idcirco cum venerabilis Frater Bernardus Mac-Quaid, Episcopus Roffensis in Statibus Foederatis Americae Septentrionalis, Nos enixe efflagitaverit, ut nova delimitatio constituatur pro sua dioecesi et pro contigua dioecesi Buffalensi, quam per delimitationem nonnulli Comitatus, nempe Chemung, Schuyler, Steuben et Tioga, ad Buffalensem dioecesim nunc pertinentes, ab ipsa separentur et Roffensi dioecesi adnectantur ; Nos omnibus rei momentis sedulo studio perpensis cum VV. FF. NN. S. R. E. Cardinalibus negotiis Propagandae Fidei praepositis, inspectis gravibus quae adducuntur rationibus et favorabili Episcoporum comprovincialium suffragio, memorati Antistitis votis obsecundandum existimavimus. Itaque omnes et singulos, quibus Nostrae hae litterae favent, peculiari benevolentia complectentes, et a quibusvis excommunicationis et interdicti, aliisque ecclesiasticis sententiis, censuris et poenis, si quas forte incurrerint, huius tantum rei gratia absolventes, et absolutos fore censentes, motu proprio, atque ex certa scientia et matura deliberatione Nostris, deque Apostolicae Nostrae potestatis plenitudine, vi praesentium, quatuor Comitatus vulgo *Contee*, nempe Chemung, Schuyler, Steuben et Tioga, a Buffalensi dioecesi, ad quam nunc pertinent, separamus, et dioecesi Roffensi adnectimus. Decernentes praesentes litteras firmas, validas et efficaces existere et fore, suosque plenarios et integros effectus sortiri et obtinere, illisque ad quos spectat et spectare poterit in omnibus

et per omnia plenissime suffragari, sicque in praemissis per quoscumque iudices ordinarios et delegatos iudicari et definiri debere, atque irritum et inane si secus super his a quoquam quavis auctoritate, scienter vel ignoranter, contigerit attentari. Non obstantibus, quatenus opus sit, Nostra et Cancellariae Apostolicae regula de iure quaesito non tollendo, aliisque Constitutionibus et Ordinationibus Apostolicis, nec non dictarum ecclesiarum Buffalensis et Roffensis etiam iuramento, confirmatione Apostolica, vel quavis firmitate alia roboratis statutis et consuetudinibus, ceterisque speciali licet et individua mentione ac derogatione dignis in contrarium facientibus quibuscumque.

Datum Romae apud S. Petrum sub anulo Piscatoris die x. Decembris MDCCCXCVI., Pontificatus Nostri anno decimo nono.

Pro Domino *Card.* RAMPOLLA.
NICOLAUS MARINI, *Substitutus.*

E S. CONGREGATIONE CONCILII.

EPISTOLA CIRCULARIS AD EPISCOPOS ITALOS ET AMERICANOS, RELATE AD SACERDOTES ITALOS, QUI AD AMERICANAS REGIONES EMIGRANT.

Non sine magno animi moerore Sanctissimus Dominus Noster Leo Papa XIII. accepit, nonnullos sacerdotes ex Italia, praesertim meridionali, ad Americanas regiones emigratos eam ducere vitam, quae a morum integritate et sanctitate quam ecclesiasticus vir prae se ferre debet, prorsus abhorret.

Volens itaque Beatissimus Pater tanti mali ulteriori dilatationi pro viribus obsistere, eas renovando et ampliando cautelas ac remedia, quae praeteritis annis iam fuerant adhibita; audito voto Cardinalium sacrae Congregationis Concilii, mandavit eidem Congregationi mittere ad Episcopos et Ordinarios tum Italiae tum Americae sequentes praescriptiones.

I. Quoad Italos sacerdotes emigratos in America commorantes, locales Antistites contra delinquentes summarie procedant ad formam Sacrorum Canonum, etiam tamquam Apostolicae Sedis delegati, si opus sit.

II. Quoad futurum vero, prohibetur absolute Italiae Episcopis et Ordinariis concedere suis presbyteris de clero saeculari litteras discessoriales ad emigrandum in regiones Americae.

III. Exceptio tantummodo admitti poterit, onerata Episcopi conscientia, pro aliquo eius dioecesano sacerdote maturae aetatis, sufficienti sacra scientia praedito, et omnino iustam afferente emigrationis causam. Qui tamen bonum testimonium habens intemeratae vitae in operibus sacri ministerii cum laude veri spiritus ecclesiastici et zeli salutis animarum hactenus peractae ; idcirco fundatam spem exhibeat aedificandi verbo et exemplo fideles ac populos ad quos transire postulat, nec non moralem certitudinem praestet numquam a se maculatam iri sacerdotalem dignitatem exercitatione quarumcumque vulgarium artium et negotiationum.

IV. Sed in huiusmodi casu idem Italus Episcopus et Ordinarius, omnibus rite perpensis et probatis, rem, absque sacerdotis postulantis intermedio, directe agat cum Ordinario Americano ad cuius dioecesim ille transire cupit, et habita ab ipso Americano Ordinario eiusdem sacerdotis formali acceptatione una cum promissione eum ad aliquod ministerii ecclesiastici munus deputandi, de omnibus et singulis, praefatae Sacrae Congregationi Concilii referat. Quae si tandem consensum dederit, tunc poterit Episcopus discessorias litteras concedere, communicando Americano Antistiti per secretam epistolam, nisi ei jam cognitae sint, notas personales emigrantis sacerdotis, ad effectum impediendi fraudes circa subjecti identitatem. Ex ea dioecesi ad aliam in America idem sacerdos emigrare nequeat absque nova Sacrae Congregationis licentia.

V. Excluduntur in quacumque hypothesi presbyteri ritus orientalis.

VI. Quod si non agatur de emigratione, sed de aliquo Italiae sacerdote, qui ob personales et honestas temporaneas

causas pergere velit ad Americae partes, satis erit ut proprius Ordinarius, his perspectis, ac dummodo de caetero nihil obstet, eum muniat in scriptis sua licentia ad tempus (unius anni limitem non excedens), in qua praefatae abeundi causae declarentur, cum conditione, ut suspensus illico maneat a divinis expirato praefixo termino, nisi ejus legitimam prorogationem obtinuerit.

VII. Non comprehenduntur his legibus de emigratione in Americas ii sacerdotes, qui ad hoc speciali aliquo gaudent apostolico privilegio.

Datum Romae ex S. Congregatione Concilii die 27 Julii, 1890.

E S. R. UNIV. INQUISITIONE.

IN DUBIO UTRUM ORDINANDUS INSTRUMENTA TETIGERIT.

Beatissime Pater,

Sacerdos N. N. ad pedes S. V. provolutus, humiliter exponit quod in sua ordinatione presbyterali, quando in eo fuit ut instrumenta reciperet, ipse insimul cum aliis adivit Episcopum qui ea in manibus habebat; sed dubitat utrum tetigerit calicem insimul cum patena: ipsi videtur se hanc ultimam non tetigisse. Petit igitur, pro suae conscientiae tranquillitate, quid sit agendum.

Feria III. loco IV., die 7 Sept. 1897.

In Congregatione Gen. S. R. et U. Inquisitionis habita ab EE. et RR. DD. Cardinalibus Generalibus Inquisitoribus, proposito suprascripto Dubio responderi mandarunt: *Acquiescat.*

Feria vero VI. die 10 eiusdem mensis et anni, in solita Audientia R. P. D. Adsessori impertita, facta de his omnibus relatione SS. D. N. Leoni PP. XIII., idem SS. Dnus resolutionem Emorum et Rmorum Patrum adprobavit.

I. *Can.* MANCINI, *S. R. et U. Inq. Notarius.*

CONFERENCES.

THE AMERICAN ECCLESIASTICAL REVIEW proposes to answer in this department questions of general (not merely local or personal) interest to the Clergy. Questions suitable for publication, when addressed to the editor, receive attention in due turn, but in no case do we pledge ourselves to reply to all queries, either in print or by letter.

THE REPLY OF THE CATHOLIC HIERARCHY OF ENGLAND TO THE ANGLICAN CRITICISM OF THE BULL "APOSTOLICAE CURAE." [1]

In September, 1896, Leo XIII., speaking as the authoritative head of the Catholic Church, solemnly decided the question: Whether the Catholic Church could accept as valid the Orders administered by the bishops of the Anglican establishment.

The question had been proposed by representative members of the Episcopal Church of England as requiring settlement preparatory to the consideration on their part of the question of reunion with the Roman Catholic Church from which their forefathers had separated in the sixteenth century.

The Sovereign Pontiff's answer was: that *Anglican Orders were*, so far as the requirements of Catholic teaching and practice were concerned, *absolutely invalid*. There was no minimizing the decision. It was final, and, in view of the historical evidence impartially collected and carefully weighed before the sentence was given, there could be no reasonable appeal to any further pronouncement.

1 P. Brandi, S. J., of the *Civiltà Cattolica* made an exhaustive and critical commentary on the Bull *Apostolicae Curae*, which has been translated under the title of A LAST WORD ON ANGLICAN ORDINATIONS. This work, gotten up in exquisite style so as to induce also Anglicans to read it, may be obtained at the merest nominal price, 15 cents (postage included), from the TRUTH LEAGUE, 317 Willing's Alley, Philadelphia, Pa. Pastors who are at all interested in the conversion of Anglicans, might easily aid the work by ordering 100 to 500 or more copies.

Nevertheless the Anglican party which had in the first place sought an open declaration from Leo XIII., being now disappointed and humiliated, endeavored to justify its previous action by discrediting the impartiality of the Pope's judgment. Accordingly two of the leading prelates of the Establishment prepared a public letter addressed to His Holiness, in which they set forth—as though in the name of the entire Anglican body—their dissatisfaction with the Pontiff's decision. This letter was duly and almost universally criticized, by non-Catholics as well as Catholics, for its patent inconsistency, general weakness of argument, disingenuous avoidance of the real points in question, and, incidentally by the literateurs for its poor Latinity. If such a document did not on its own merits call for an official reply from the Catholic Bishops of England, it gave at least an occasion to these latter to set right popular erroneous views which the Anglican Letter was calculated to foster among those who chanced to hear but one side of the argument and who had not studied the Pontifical Letter or any of its Catholic expositions.

A brief official reply of acknowledgment had been made, it appears, by the Sovereign Pontiff, although this was not published. But as the Anglican Letter had been addressed to the whole body of Bishops of the Catholic Church, it was deemed proper that the Catholic Hierarchy of England should make a distinct acknowledgment. This is done in the present Letter, which is in the main a vindication of the Pontifical Bull. The Catholic Bishops have let the storm of excitement and the personal encounters occasioned by the reply of the Anglican Archbishops to the Bull pass over; and they invite us now quietly and dispassionately to weigh the last analysis of the difficulty, coming from those who are not only most competent to judge in the matter but most interested in coming to a right conclusion.

The reply of the Catholic Hierarchy goes over the whole ground of the argument once more, enforcing the proofs by added historical evidence. It concludes with an important but simple, straightforward question. It does not say that the

Anglican prelates are insincere or wrong; it does not reject their reasons or challenge their consistency. It simply and in the most irenical temper asks them to explain their meaning of the terms employed in the Anglican argument. The letter says in effect: Gentlemen, you desire that we recognize your orders and your priesthood. We have hitherto refused to do so, because, as our sovereign teacher, the Pope, has pointed out in his Bull *Apostolicae Curae*, there appeared in the first place an evident defect in the sacramental form and matter of ordination as shown by your official ritual. In the second place we have the positive and repeated declaration of the prelates who performed the rite of ordination, and of their followers legitimately recognized by your communion, that they did not acknowledge that Christ instituted a priesthood (*sacerdotium*), such as is held to be conferred in the sacramental orders of the Catholic Apostolic Church of which we are members. If your "priesthood" is what your bishops and symbolic books make it appear, then it is not identical with our priesthood, but differs in a very *essential* feature. Hence your ordaining prelates could not have had the requisite *intention* of conferring the powers of this *sacerdotium* in which they did not believe. You say indeed in your recent letter in answer to the sentence of the Bull *Apostolicae Curae* that you possess "in some way" the sacrificial priesthood, the true *sacerdotium* of the Catholic Church. But you do not define that "some way," and since in the same letter you endeavor to show that the *sacerdotium* as it is understood in the Roman Church was not taught in the Canon of the early Christian Church, and is therefore not essential to a valid priesthood, we have been led to infer that your priesthood does not correspond to the one we hold to be essential; and hence we cannot accept it as valid in our sense. Nevertheless, it is possible that we may have misunderstood your terms as well as your reasoning, and as we desire the peace and union in Christ which our Sovereign Pontiff advocates and to which he sincerely invites you, we are honestly disposed to have light on the true sense of your words. Tell us what do you hold to be the priesthood

(*sacerdotium*) of the Catholic Church? Is it a sacrificial priesthood in that true sense which obliges us to believe that the minister ordained by your prelates offers up Christ, really and *objectively present* as the Victim, or do you hold that the priest offers merely bread and wine and prayers in commemoration of a *past* sacrifice?

This is the substance and force of the Letter of the Catholic Bishops of England. It requires one more reply from the spokesmen of the Anglican communion. It is a challenge, just, plainly stated in all Christian courtesy, and calling for a direct answer: If then we have mistaken your meaning in the question regarding your teaching on the Sacrifice and the Priesthood of the Catholic Church, will you frankly say so?

THE BREVIARY READING OF PSALM 94 (VENITE EXULTEMUS).

Qu. It must strike every one reading the Breviary on the feast of the Epiphany that the text of Psalm 94, placed at the beginning of the Third Nocturn, differs in several verses from the text of the same psalm as it is daily recited in the *Invitatorium* before Matins. Thus, for example, in the second verse, the two versions respectively read:

Invitatory.	*Epiphany.*
. . . et altitudines montium ipse conspicit.	. . . et altitudines montium ipsius sunt.

Again, in the third verse:

. . . et aridam fundaverunt manus ejus.	. . . et siccam manus ejus formaverunt.

Whilst the sense is practically identical in both versions, I fail to see why the two readings should occur in the same edition, especially as we are supposed, according to the prescription of the Council of Trent, to use what is known as the Vulgate text for public reading and argument in church and school.

Resp. The psalter contained in the Vulgate edition of our Latin Bible and constituting the main body of the Roman

Breviary represents a text-revision (or rather emendation) made by St. Jerome in the year 392, whilst he was in Palestine.

Nine years before that time he had, at the request of Pope Damasus, made a *first revision*, in which he corrected many errors that had gradually crept into the old Itala version. This first revision (which afterwards did not quite satisfy St. Jerome since he had had an opportunity of comparing the old Latin text with the famous Hexapla edition of Origen), was immediately introduced by the Pope into the liturgy. As books were very rare, the clergy and others who recited the canonical office had to commit the new translation to memory, and once in use it became traditional in the churches and seminaries of Italy, and in those countries where the Roman liturgy was copied.

Gradually, however, an attempt was made to substitute St. Jerome's second revision for the older one. This was done especially in France. Toward the end of the sixth century St. Gregory of Tours, who had brought a copy of this revision with him from Rome, introduced it in his diocese. As many bishops and abbots came there to visit the tomb of St. Martin, they became familiar with this more beautiful and correct version, and gradually carried it into all parts of Europe. It was known as the *Psalterium Gallicanum*, and by the end of the ninth century had found its way into every Catholic nation, including Italy. Pius V., under the acts of revision of the liturgy at the Council of Trent, caused the permanent adoption of the *Psalterium Gallicanum* in the Vulgate and the liturgical books.

One church only, St. Peter's in Rome, has retained the old version (called the *Psalterium Romanum* to distinguish it from the *Gallicanum*) in testimony of her ancient practice. Thus the visitor to Rome, assisting at the canonical office of the great Basilica, hears the same words which have been chanted there for fifteen hundred years and beyond, back to Apostolic times.

And our own liturgy has retained some portions of this same ancient text, bearing witness to the practice in the

times of St. Augustine, when the cleric who kept vigil at early morn went his round calling at the cells of the brethren "Venite exultemus," all mutually inviting each other to prayer by responding "Venite adoremus."

Thus the "Invitatory," impressed upon the memory of generations, was kept unaltered. The same is the case with the *Antiphons* de Psalterio, the *Responsoria* de tempore; as also the Introit, Gradual, Offertory, and Communio of the old Mass formularies in our missal.

St. Jerome, in later years of his life, made an entirely new translation of the Psalms, but this has never been introduced into the Vulgate or the liturgy, which retain, as stated above, the second revision made after the death of St. Damasus and known as the "Gallican Psalter," because it obtained its first popularity through its adoption in France.

SUSPENSION "IPSO FACTO" FOR THE BREAKING OF THE TEMPERANCE PLEDGE.

Qu. Has the Ordinary of a diocese the right, in giving faculties to any of his priests, to make the restriction that, if they violate their abstinence pledge they are *ipso facto* suspended from the further legitimate exercise of their priestly functions?

In view of the fact that suspension is a *censure*, and therefore a penalty requiring the commission of a grave sin (*peccatum grave*) on the part of him upon whom it is inflicted, would the suspension inflicted under the circumstances have binding force upon a cleric who violates his pledge by merely taking liquor in moderation, without giving any scandal?

Is a priest drinking moderately, under such circumstances, in conscience bound to abstain from saying Mass and from administering the Sacraments when his doing so would be equivalent to a forced public confession?

Resp. "Suspension," in the canonical sense, is a *censure*, and hence a penalty for grave sin or scandal committed by a

cleric. But is likewise a *privatio ad cautelam*, or, in other words, a prohibitive measure directly calculated to prevent sin or scandal. In this sense it is sanctioned by the Church "ex quadam oeconomia ob reverentiam sacri ministerii."

As usually understood in cases such as the one here proposed, "Suspension" means the temporary privation of pastoral jurisdiction. The Ordinary gives to a priest (who by his previous conduct has caused apprehension of weakness) charge of a parish or curacy, exacting from him at the same time a pledge of total abstinence. The priest promises to abstain and the bishop in order to confirm his resolution adds: "Very well; I trust you. But if you should break this pledge, by taking spirituous liquor privately or otherwise, you are *ipso facto* suspended" (meaning that the priest must consider himself from that time on deprived of his pastoral faculties).

Suppose that under these circumstances the priest should forget himself and, either through human respect or to gratify his weakness, should take even a small quantity of spirituous liquor and without giving scandal to any one thereby—

1. Is he obliged *sub gravi* to abstain from saying Mass, hearing confessions, etc.?

2. Does he become *irregular?*

3. Are the absolutions which he gives in the confessional *valid?*

4. Has he forthwith to accuse himself to the Ordinary in order to receive absolution?

Ad 1. As the saying of Mass is not an act of jurisdiction but an *actus ordinis* which, though dependent on the permission of the Ordinary, is not included in the usual concession of faculties for the pastoral ministry, a priest may celebrate—unless the bishop has clearly intimated that he wished to include this act in the suspension, apart, of course, from the fact that the breaking of the pledge was *in se* not a *materia gravis.*

But the priest is bound *sub gravi* to abstain from the exercise of his pastoral functions, such as hearing confes-

sions, etc. (except in case of the dying), because he is actually deprived of his faculties by the express declaration of his Ordinary made clearly known to him in a legitimate way.

Ad 2. There is *no irregularity* contracted in the present instance. This only takes place when there is a *violatio formalis* in a case of *censura suspensionis* in the strict sense of the word. The suspension of which we speak here is not a canonical *censura.*

Ad 3. As the priest lacks proper jurisdiction his absolutions would *per se* be invalid. But the Church, to safeguard the consciences of the faithful who, through a misapprehension apply for absolution to a priest deprived of faculties by a secret act, supplies the jurisdiction *in singulis actibus propter bonum commune.* This, however, requires that the misapprehension is general, as when the entire congregation erroneously assumes that its pastor has actually the faculty of absolving them validly. In this case there exists at the same time a so-called *titulus coloratus*, that is to say, a title sanctioned by authority, but otherwise vitiated. "Ecclesia *certo* supplet, si error sit *communis* inter fideles et simul cum titulo *colorato* conjunctus." Cf. St. Alph. *Theol. Mor.*, vi., n. 572; Sabetti, 773 ad 1; Lehmkuhl remarks in this connection: "Si neque titulus coloratus est, neque error communis, sed *paucorum tantum:* ecclesiam supplere . . . communi consensu *negatur.*" If therefore it be known among the faithful of the parish generally that the priest has forfeited his faculties, he could not validly absolve even if among those who actually present themselves for confession none are aware of his suspended condition. *Theol. Mor.*, vol. ii., n. 389, ad 3.

Ad 4. It would not be necessary to get absolution from the Ordinary, unless the latter had made the violation of the pledge a reserved case, which would moreover require the act to have been a *peccatum grave* apart from the prohibition. (Even in case of such a reservation the priest, if he wished it, might obtain from the S. Poenitentiary in Rome the faculty of securing absolution through some other priest.)

Practically, however, the unfortunate priest will have to make a plain statement of his case to the Ordinary in applying for the restoration of faculties if he wishes legitimately to exercise his ministry.

THE HEBREW WORDS USED TO SIGNIFY 'WINE."

Qu. There is a class of Protestant temperance-workers who maintain that the Bible absolutely forbids the use of fermented or intoxicating wines, that Christ at the marriage feast changed water into non-intoxicating wine, etc. In support of this doctrine they adduce the distinction made in the Old Testament between the various Hebrew words used to signify wine. TIRÔSH, they say, always means unintoxicating wine, and therefore the Bible allows and recommends its use. SHEKAR is always used in a bad sense, meaning intoxicating wine, and its use is never approved, but always prohibited by the Sacred Writings. YAYIN signifies both fermented and unfermented wine, and according to the meaning attached to the word, *yayin* is at times allowed, at others forbidden. Whence they would infer that SHEKAR is forbidden precisely *because it is intoxicating wine*, the *use* of which Scripture means to represent as *wrong in itself*.

What is the exact meaning of these words? Will a thorough knowledge of the Hebrew language prove the assumption to be a false one?

SACERDOS.

Resp. TIRÔSH means *new wine*, or sweet wine of the first year: the vintage of the season.

YAYIN is wine generally, new or old, fermented or unfermented, but usually the latter. The Hebrew letter YOD (consonant) in the beginning of a word answers to a *W* in the related languages, and the word for wine is actually the same in Hebrew, Greek, Latin, English and several other languages, with but a slight difference in pronunciation and spelling.

SHEKAR in Greek and Latin *sicera* (from SHAKAR to be intoxicated), is a drink which *intoxicates;* it was usually and properly *palm wine*, but was also, according to

St. Jerome and others, made from wheat, barley, honey, dates, etc.

According to Hesychius, the old Greek lexicographer, Theophylact, etc., it was a composite, intoxicating drink prepared from various ingredients *except* grapes πᾶν πόμα ἐμποιοῦν μέθην, μὴ ἐξ ἀμπέλου δὲ, σκευαστὸν. It is distinguished from wine in Luke i., 15; Levit. x., 9; Judges xiii., 4, 7, and other passages. The same meaning attaches to the Syriac *shekor* and the Arabic *sakar*. Compare Lane's *Arabic Dictionary* and Payne Smith's *Thesaurus Syriacus*, sub voce. In the latter the Syriac word *shekar* is defined "*potus qui inebriare potest, diversus a vino*, spec. vinum e dactylis factum," and further on—"paratus fuit e melle, dactylis, etc., uvis tantum exceptis." For quotations and references see the *Thesaurus*, loc. cit.

A thorough knowledge of the Hebrew language would no doubt prove the above-mentioned assumption to be false; but a thorough knowledge of that language is impossible for even the best Hebrew scholars, if for no other reason, for dearth of materials: there being practically no Hebrew left, except what is contained in the Bible. The meaning of what is left is in most cases certainly, in others probably known; in not a few, however, we are still reduced to conjecture; and so was St. Jerome, and even the old Greek translators. A moderate acquaintance, however, with the Hebrew Bible, either in its original text or in a translation, ought to be sufficient to show that the wine used, whether fermented or not, that is whether new or old, was really intoxicating, if indulged in too freely.

L. V. M.

THE PRIVILEGE OF USING THE ROMAN OFFICE.

Qu. Is any priest at liberty to use the Roman office instead of following the Diocesan Ordo? If not, how can that privilege be obtained?

Resp. To recite the Roman office in place of the Diocesan Ordo requires a special privilege from the Holy See. To

obtain it a formal petition must be presented to the Sacred Congregation. This may be done through any of the numerous officials of the Curia, or any other person in Rome familiar with the manner of presenting such petitions. Mgr. Cadene, 181 Via Coronari, or Sig. Feliziani, 7 Pozzo delle Cornacchie, are among the accredited agents for the obtaining of this and other privileges termed facultates *quae Sacrae Congregationes Romanae et Superiores Ordinum concedunt.* In petitioning for faculties regarding the Index, the saying of Mass in private oratories or rooms of sick persons, erection of the Confraternity of the Most Holy Rosary, and dispensing from the ecclesiastical fast, it is necessary to have the petition endorsed by the Ordinary of the diocese. For the privilege of reciting the Roman Office this is not necessary, although it facilitates matters to have this endorsement in each case.

A certain small *taxa* is required, varying from one to five dollars, to cover the registration expenses in each case.

THE QUESTION OF ROUND DANCES.

Qu. A writer, evidently engaged in parish work, wrote in a late number of your excellent magazine, on the subject of *round dances.* I read the article with great satisfaction and believe, with the writer, that those dances, though dangerous, are neither substantially sinful in themselves, nor positively forbidden by the Church. With him I also grieve at the countless mortal sins which have been committed through false consciences,—a necessary result of the exaggerations of those spiritual advisers, who find a *law* where there is only a *warning*, a *mortal sin* where there is only a *danger of it.*

Now, in connection with this matter, I would like to ask the two following questions:

1st. How are we to explain the action of some bishops who have reserved the case of round dances?

2nd. Where the bishop has taken no action, how is a prudent confessor to deal with those who accuse themselves of this as a sin?

MISSIONARIUS EXCURRENS.

Resp. Two explanations naturally suggest themselves. The first is, that in those (few) dioceses where the bishop has found it necessary solemnly to declare that he reserves to himself absolution from the sin committed by those who engage in such dances, the dances in vogue are particularly bad, and so offensive to the sense of decency that the avoidance of grievous sin is morally impossible. Of course no writer, no theologian, will excuse from mortal sin those who are given to this class of degrading enjoyments. If, then, there is evidence that the practice of these dances is gradually spreading in a particular diocese, and becoming popular, though perhaps in less revolting forms, among the higher classes of society, no one can justly blame, but rather approve the bishop's action in reserving such cases; and this, we believe, is in perfect keeping with the principles of moral theology.

Another probable explanation which readily occurs to the mind upon reflection is this, that the bishop before reserviug such cases had duly, publicly and *sub gravi* forbidden this class of dances on account of their dangerous character. In that case the sin, absolution from which is reserved by the bishop, is not the act of dancing, but that of *disobedience* to the lawful authority in a serious matter (*in re gravi*). Should neither of these two explanations solve the difficulty some other must be looked for, ere we may, even in private, censure the action of the bishop; for *in dubio standum est pro eo pro quo stat praesumptio*, and most certainly "praesumptio stat pro Superiore."

With regard to the second question proposed, great prudence is required. For, while the confessor has to set right the penitent's conscience, it would be an error to leave him or her under the impression that what are commonly called round dances are entirely harmless, though they may be so for some or many. Moreover, every director of conscience owes it to other directors, confessors, missionaries, and especially towards pastors, not to speak to his penitent in a manner which implies censure of them and is prejudicial to their reputation. Hence, though in the matter of round dances

other directors may be inclined to, and as a matter of fact do exaggerate the guilt, it is his duty to do all in his power, while correcting the wrong impression made, to safeguard their reputation.

Hence, if a penitent confesses having danced round dances, let the confessor ascertain from him or her whether the practice was an occasion of *peccatum mortale contra sextum*. The answer will probably be "no." Why, then, was it confessed? The penitent will answer that he or she believed it to be a grave sin, having been so informed by the pastor. The penitent will probably also add that he or she had heard it said that these dances have been strictly forbidden by the Church; and here it will be the part of a prudent director of souls to suggest to the penitent that the confessor or pastor who is quoted must have been misunderstood; that what the priest had actually said was only intended to point out the danger ever present in such amusements. And, after stating that such dances are neither, properly speaking, forbidden nor necessarily sinful in themselves, he will endorse the caution given by the former confessor by insisting on the danger, and counsel the penitent to seek recreation in other and safer amusements.

A. S.

N. IN THE PRAYER "A CUNCTIS."

Qu. In reference to the question in last number of the REVIEW about the name to be inserted at the place marked N. in the prayer "A Cunctis"—there is a decision of the S.R.C., 16 April, 1853, directing that the Patron of the Diocese be inserted when the Church has no titular, and forbidding regulars to insert the name of their founder.

J. F.

Resp. We do not know of the particular decree to which our correspondent refers and wish he had quoted it. Even if it were authentic it is superseded (if not corrected) by a decision given some twenty years later, and applicable in an especial manner to America. This decision (*Decreta authentica*, n.

5533, Feb. 15, 1873, resp. ad Episc. Joan. Langevin, Canadens.) states: Quoad vero orationem *a cunctis* in qualibet ecclesia a quovis sacerdote nominandum esse Patronum seu Titularem proprium ejusdem ecclesiae. Si autem celebretur in ecclesia dedicata alicui mysterio vel in sacello et oratorio privato nominari potest Patronus loci *si consuetudo adsit* faciendi ejus commemorationem in officio, *secus omittenda sunt* verba "ac Beato." The custom of mentioning the *patronus loci* does not generally exist, especially in America, and *even* if there were such a custom the mention of the name in the prayer "A Cunctis" would be entirely optional.

As to regulars, they are not forbidden to mention the name of their founder "dummodo non omittatur Titularis Ecclesiae nomen." (S.R.C. 17 Jun., 1843, n. 4964, ad 3. Cf. Wapelhorst, *Compend.* n. 22, ad 2.)

THE WEARING OF A WIG DURING THE CELEBRATION OF MASS.

Qu. May a priest who suffers much from neuralgic headache, and is advised by his physician to wear a wig, retain the same during the celebration of Mass? I know, of course, that it is contrary to the rubrics to say Mass with covered head, but does this include wigs, especially when they are so perfectly adjusted to the head as to make them appear the natural covering and thus prevent any comment or notice on the part of the people?

Resp. The general law of the Church forbids the wearing of any head-covering during the celebration of the sacred mysteries. "Nullus episcopus, presbyter aut diaconus, praesumat . . . velato capite Altari Dei assistere: quoniam et Apostolus prohibet viros velato capite orare in ecclesia, et qui temere praesumpserit, communione privetur." (Concil. Rom. A. D. 743, cap. xiii., de Consecr. can. 57.)

During the period when the wearing of wigs became the general fashion among the upper and professional classes, the question was brought before the S. Congregation: whether wigs came under the ecclesiastical prohibition, so

that it was unlawful to wear such during the celebration of Mass. The Holy See decided promptly: *Yes;* and added to the reasons of reverence which enjoin the uncovering of the head during the holy Sacrifice, the suggestion that the fashion of wearing wigs, being, like most fashions, a passing manifestation of worldly vanity, was not to be imitated by the clergy, "etiamsi illa (coma supposititia) sit decens et modesta." Two French writers, Raynaud and Pasqualy, who had defended the contrary practice, and Cardinal Grimaldi who had permitted it in his diocese, were told that they were wrong, and the latter that he had trespassed the limits of his authority.

It is needless to say that the case of ill health was considered to constitute a valid cause of exemption from the general law; but, as the ground of infirmity is a very wide and often vague territory according to the estimate of the invalid, and thus leaves a large opening for abuses, the Holy See reserved the right of exemption in each case to itself. "Quoniam non potest legislator singulos praevidere peculiares casus, omnesque sua lege complecti, expedit profecto ut in ipsamet Constitutione seu Edicto facultatem qua ceteroquin pollet, *sibi expresse reservet, fictum capillitium illis permittendi, qui, medicorum judicio, valetudinis causa, eo indigent.*" Benedict XIV. who cites this legislation in a very interesting chapter of his "Synodus Dioecesana," Lib. XI., c. ix., entitled: "A severitatis nota vindicatur Synodalis constitutio qua Clericis interdicitur usus comae supposititiae vulgo *parrucca*," states that it is not within the jurisdiction of the bishop to celebrate or to permit the celebration of Mass with covered head, "in altari autem cooperto capite ministrare ne episcopo quidem permittendum, statuit Zacharias Papa," etc.

The exemption has, therefore, to be obtained from Rome.

I should have said that missionaries in parts of China have a privilege from the Holy See to celebrate Mass with covered head, owing to the popular prejudice which, contrary to our manner, holds it to be a mark of disrespect to bare the head.

THE SITE OF THE TOWER OF BABEL.

Qu. P. De Hummelauer, S. J., in his late work *Commentarius in Genesim*, 1895, states, pag. 336 : "Perquam probabile est turrim Babylonicam alterutro loco fuisse ubi nunc duorum sacrorum aedificiorum *Babil* et *Birs Nimrud* cernuntur ruinae." Has the question been decided, since then, in favor of one or other of the two places? I presume the archæological researches going on in those regions during the last three years have produced some confirmatory documents. Please enlighten your biblical student readers on the subject.

Resp. There has been no Babylonian find in recent years adding to our knowledge regarding the precise site of the Tower of Babel. Not long ago Dr. William Hayes Ward published an interesting letter regarding the Tower of Babel, in which he gives it as his opinion that the Borsippa temple pyramid (about twelve miles from Babylon, to the east of the Euphrates), which is usually spoken of as the Tower of Babel, is not the original tower mentioned in Genesis. The Ziggurat, now called "Babel," a much larger pyramid temple of Babylon, is more probably the tower referred to by the sacred writer. The word is derived from Bab-ilu (gate of God).

The pyramid at Borsippa, a seven stage temple, built (we do not know how early) to the god Nebo, was restored by King Nebuchodonozor, who took his name from that god. To-day, under the name of Birs Nimrud, or Tower of Nimrod, it presents a remarkable ruin, its top for the most part a rounded hill, capped with a solid mass of fused brick (the result of some great heat), and a crack running from top to base, where lie huge pieces of vitrified brick, tumbled down, maybe, by the lightning's action.

The Babylonians, says Dr. Ward, constructed their temples after this fashion, in the form of pyramids, stage upon stage, each stage dedicated to a different planetary god. Unlike the Egyptians, they very early discontinued coating the outside surface of their immense structures. (Cf. *Biblia*, Jan., 1898.)

THE QUESTION OF UNBAPTIZED INFANTS AGAIN.

The discussion concerning the possibility of infants who die without the Sacrament of Baptism, attaining the beatific vision, is not yet ended. Father Grant has expressed his intention of replying to H. J. H., and was only prevented from doing so earlier by other more imperative engagements. Several other communications on the same subject have been received by the editor, all of which we hope to publish under one head in the March number.

LAST YEAR'S PASCHAL CANDLE.

Qu. Can a Paschal Candle be blessed and used a second time? I think I have seen this question answered before in the REVIEW, but cannot find it now.

CANADENSIS.

Resp. The *General Index* (Vols. i.-x.) refers the inquirer to Vol. ii., pp. 286–7; Vol. iv., pp. 284–5.

According to the best authorities[1] the Paschal Candle of a previous year may not be blessed again and used if the greater part has been consumed, as the blessing given to it on Holy Saturday, they say, is *constitutiva*, *i. e.*, permanent, making over its recipient altogether for sacred purposes, as opposed to *benedictio invocativa*, a blessing by which the divine protection merely is besought, as in the case of food, etc. Therefore, they conclude, the Candle must be new or not blessed; or, if not new, must be entirely remoulded; or, if not remoulded, other wax must be added, and this in greater quantity than the old wax, otherwise the blessing is repeated uselessly, since *major pars trahit ad se minorem.*

Others[2] maintain that the same Candle may be blessed and used year after year, as long as it lasts, on the ground that the

1 De Herdt, *Praxis*, vol. iii., N. 53; Quarti, *De Benedictionibus*, ii., 16.

2 *Ephemerides Liturgicae*, 1891, pp. 453–4.

blessing is neither *constitutiva* nor *invocativa*, strictly speaking, but *intermedia*. Indeed, the Paschal Candle does not receive a *blessing* in the strict liturgical sense of the word; what the Deacon sings during this part of the ceremony on Holy Saturday is called *praeconium pastorale;* and besides, the blessing attaches specially to the five grains of incense placed on the Candle in the form of a cross. Lastly, they claim that the practice of the Church sanctions their opinion, since everywhere it is the custom to bless over again and use the same Candle, unless for reasons not pertinent to our question they desire a new one. *In dubiis libertas.*

A CURIOUS SICK-CALL.

Your readers may find interesting, and perhaps instructive, as it suggests a bit of pastoral wisdom, the following curious experience of a young parish priest vouched for as having actually occurred, though quite a number of years ago.[1]

One evening there came to the parish house a call to bring the last Sacraments to a young man who had not been a practical Catholic for years, although he belonged to a devout family. His education abroad had not only robbed him of his faith, but the habits of conviviality among the students of the university had fostered the seeds of consumption which was hastening his end. He had brilliant talents, a naturally generous disposition and was especially fond of his mother, so that the members of his family were greatly attached to him and anxiously prayed that he might receive the grace to return to his early religious fidelity.

His aged mother received me at the door, expressing her hopefulness that all would go well with her son who had at last yielded to her entreaties to see a priest. As I entered

1 The incident as here substantially related, was first published in the *Athanasia* and afterwards reproduced in the *Pastoralia* by J. Einsiedel (Augsburg, 1869).

the sick room the young man raised himself up in his bed and, in a somewhat flushed manner, beckoned his mother to leave the room. Then turning to me he said: "Kindly lock the door." This I did, supposing that he wished to prevent the possibility of anyone taking us unawares whilst he was making his confession. When I approached him he looked at me with his large bright eyes, a fine sarcasm playing about his lips, and said: "Sir, we understand each other. I have known some of your profession, and am therefore entirely frank with you, hoping I give no offense. It is your business to suit people who imagine that their present happiness lies in religious ceremonial, and that their future happiness depends upon its faithful performance. My family belongs to that class, I do not; but as I dislike to embitter their lives with the thought that I shall be damned if I should die of this disease—I know too well it is consumption—I am willing to humor them, and I think you will approve of this little deception in which 'the end justifies the means.' Do me the favor and open that closet; there below in the ice is a bottle of fine malaga and on the tier above are glasses. We can quietly enjoy this sort of spirituality, and in the meantime my good people will feel some satisfaction in the thought that I have made a general confession and am fit for heaven."

The reader may imagine that for the moment I was completely stunned. To leave the sick man abruptly would plainly reveal to the family the sad condition of things, and bring greater sorrow than before to the mother, whilst the misguided son would be apt to lay the blame of the disappointment upon me, and this would effectually bar the door against any future possibility of a priest approaching him. Hardly knowing what I was doing, I turned my back to him, then put the Blessed Sacrament wrapped in the Burse quickly upon the mantlepiece without any attempt at external reverence, and approached the bed in a friendly manner as though I were disposed to humor him. There were some pleasant words between us about his general feeling of body, the doctor's treatment,—the anxiety of his mother regarding his

condition of health. All this time I was trying to gain access to his confidence, and to collect my wits as to what I should do to soften the disappointment of the mother, who, I knew, expected to see him communicated, and to assist at the ministering of Extreme Unction, since the physician had given very little hope despite the apparently buoyant condition of his patient. I reflected, prayed and talked at the same time. At length my young friend said: "But, sir, have a glass of wine, you must feel bored to talk to a sick man who is supposed to make a long confession. Pardon my asking you to help yourself and me, in this case, for I am unfit to do the honors of hospitality. This is the right kind of spiritual conversation for me, since it warms the heart . . . and the doctor approves of my using it." "Yes," interrupted I, rising at the same time to get the wine—"and it disposes one to sleep, of which you stand in need:—*Qui bene bibit—bene dormit.*" There was a certain pleasurable gusto in the way in which he repeated the last phrase as though it recalled his student days, then he continued the links of the sorites:

"*Qui bene dormit—non peccat.*
Qui non peccat—salvus erit.

Ergo . . . . As he spoke the last words in which I helped his memory, I felt as if the topic of conversation had landed upon safe ground. "*Qui non peccat—salvus erit!* What is sin?" he queried, adding immediately: "a violation of the laws of *nature?*" "Yes," I answered, "nature with its orderly benevolence gives us laws, yet it is hard to comprehend why we men, the kings of creation, should be obliged to respect laws imposed on us by an inferior order." "Because," he answered, "the inferior order can wreak its vengeance upon us, and punish us for setting aside its dispositions." "That seems to imply that nature is not only just but intelligent," I said, "and if so we might as properly call it God as nature; for is it not more in harmony with the orderly dependence of things that the penalty of neglected order should be dealt out by a superior reasonable being having an inherent right, rather

than by brute nature however attractively conceived and attired?"

He half wittily assented, and the conversation continued in this strain for some time, during which I placed him gently on the defence, thereby arousing his energies to reflect. More than an hour had passed, when all at once he became silent; then after a little while he slowly said: "Do you know, you have almost made me think like yourself; you speak as though you were sincere in your convictions, a thing which I had not believed to be true or possible of the really intelligent and educated portion of the clergy. I ask your pardon for having judged you falsely. I am very tired now but I like to hear you speak to me. Do come again soon, for this talk has somehow done me good." His head fell back upon the pillow; the hectic flush on his cheeks had deepened. I saw that he was utterly exhausted, and feared that the end might come sooner than another day. I bent over him and said: "My dear young friend you have given me no offence; the one whom you have judged falsely is God; the penalty which nature inflicts for violated order is the penalty which God inflicts, with this difference that He pardons with fatherly love, whereas nature, lacking the heart, cannot pardon. I am sure you regret having ignored that Fatherly Heart." "I am sorry," he said, opening his large lustrous eyes with a weary, regretful look, then feebly added: "I would tell you all, if I could, now." I saw a tear breaking from his eye. It was a sudden, silent working of grace urged on, I am sure, by the fervent prayers at that time of a mother's anxious heart.

Reluctant as I was to harrass the patient, I felt that the time was precious, and then and there quietly, and at short intervals, disposed him for general absolution. He held my hand nearly all the time, showing that whilst he himself felt too weak to speak, my presence was not wearying but rather soothing to him. Happily the doctor came in. "You have a few days," he whispered, as he passed out.

A week later we buried the youth in the Catholic graveyard. The old mother knelt there daily for some months

afterwards, watering the myrtle bushes with her tears ; they were tears of gratitude. After that she was laid beside her boy.

THE EPISCOPAL DELEGATE FOR THE CANONICAL VISITATION OF THE DIOCESE.

The Third Plenary Council of Baltimore (Tit. ii., n. 14), makes it obligatory upon the Ordinary of each diocese to hold a canonical visitation of all the parishes under his jurisdiction, at least once in three years. This visitation is to be made by the Bishop in person "ut omnia quae ad spirituale eorum bonum necessaria sunt *suis ipse oculis perspiciat*." When, however, the Bishop is legitimately prevented from making the visitation in person, he may appoint the Vicar General or some other priest to do so.[1]

It may be asked, what *difference is to be observed in the ceremonial* of the Canonical Visitation *when performed by a delegated priest?* The answer has been inserted in the new edition of our "Manual of Canonical Visitation," and we print it here for those who have the old edition.

CHANGES TO BE NOTED IN THE CANONICAL VISITATION WHEN THE BISHOP DEPUTES A PRIEST TO ACT IN HIS STEAD.

1. The Ordinary must give a written authorization in which he states that he deputes, with all the requisite faculties, the priest whom he wishes to make the visitation.[2]

1 Patriarchae, Archiepiscopi et Episcopi propriam dioecesim *per se ipsos*, aut *si legitime impediti fuerint*, per suum vicarium generalem, aut visitatorem, si quotannis totam propter ejus latitudinem visitare non poterunt, saltem majorem ejus partem visitare non praetermittant. *Conc. Trid. Sess.* 24, cap. 3.

2 Gavantus in his *Praxis Visitat. Episcop.* suggests the following form of authorization : "Dilecto nobis in Christo N., salutem in Domino. Ut executioni earum rerum quae a Conciliis hujus provinciae ac dioecesis et a Nobis decreta sunt consulamus, te visitatorem (in tota dioecesi) constituimus ; cum facultate mandandi, quod opus fuerit pro ejusmodi executione, etiam poenis et censuris adhibitis ; informationes assumendi de negligentiis

2. This letter of authorization is to be read at each place of visitation, before other formality is entered upon.

3. The Delegate omits all distinctively pontifical ceremonies.

4. Having first put on his surplice and stole he begins with the *absolutio defunctorum*, then proceeds with the examination of the church, tabernacle, the holy oils, baptistery, etc. The rest as found in the *Manual* for the Bishop.

TRIENNIAL APPOINTMENT OF CONFESSORS FOR RELIGIOUS.

The S. Cong. Episc. et Regul., in a letter to the Archbishop of Oregon (July 20, 1875), answers the following doubts:

1. Does the law obliging bishops to change confessors every three years for *moniales* living in community apply to convents (and *conservatoria*), whose members are devoted to the education of the young?

2. Does the prohibition of the S. C. invalidate the absolution given by a priest authorized by his bishop to continue as confessor after the expiration of the three years' term?

Resp. Ad. 1. Onus mutandi confessarium debet extendi ad *omnes Societates foeminarum conviventium more Communitatis*, et habentium confessarios ordinarios, qui inibi accedant; secus vero, si ipsae piae foeminae adire solent vel debent confessarium in aliqua ecclesia publica.

Ad. 2. Si aliter fit, *non invalida* erit absolutio, *etsi illicite data.*

CORRECTION.

The date of reception in Pontifical Audience of the Most Rev. Archbishop of St. Louis was erroneously given in the "Ecclesiastical Chronology" (January, 1898), as being *October 29*. It should read: *November* 29.

ac delictis quae compereris, ac inobedientes puniendi, poenitentiis ac mulctis pecuniariis adhibitis, ad usum pium arbitrio nostro applicandis; ita tamen ut si quae graviora inciderint, Nobis aut vicario nostro generali reserves. Omnia autem in acta redigas, prout opus fuerit, et ad Nos quamprimum referas. Concedimus quoque ut . . . Mandantes omnibus vicariis, parochis aliisque ad quos pertinet, ut te tanquam visitatorem nostrum recipiant, et procurationes sumptusque debitos praebeant, prout opus fuerit. Hae vero valeant ad . . . Datum, etc.

BOOK REVIEW.

ILLUSTRATED EXPLANATION OF THE COMMANDMENTS. A complete and thorough exposition of the Commandments of God and the Church. With numerous examples, etc. Adapted from the original of the Rev. H. Rolfus, D.D., by the Rev. Ferreol Girardey, C.SS.R.—New York: Benziger Bros. 1897. Pp. 330.

THE COMMANDMENTS EXPLAINED, according to the teaching and doctrine of the Catholic Church. By the Rev. Arthur Devine, Passionist.—London: R. Washbourne. New York: Benziger Bros. 1897. Pp. 535.

We are conscious of doing a good service to the clergy and to theological students by directing with some emphasis their attention to these two books. Both works serve the same purpose, as the titles plainly indicate—namely, to explain the meaning, the reasons and the proper practice of the divine Commandments; there is, however, some difference in the scope and method of exposition. Father Girardey's volume, which is a free adaptation from the German of Dr. Rolfus, gives a simply-reasoned statement of the obligation imposed upon man by the terms of the Christian law. Following the various duties arising from this obligation when viewed from different standpoints and conditions in life, the author suggests, under the head of *Applications or reflections*, the manner in which the individual attains to the habitual observance of these duties; and finally, in order to illustrate the feasibility, and animate the reader or hearer to the ready acceptance of these obligations, one or more examples from Scripture or history or daily life are added. It is a systematic course of instructions, within the grasp of average intelligence and not too lengthy for use in catechetical classes, popular Sunday instructions, or readings in those missions where the people assemble for devotion without the assistance of a priest who preaches to them.

The work of Father Devine, covering about twice the number of pages, appeals to a somewhat higher class of intelligence. We might call it a compend of moral theology arranged in the first place for the catechist and preacher, and serviceable in the direction of all classes of persons in quest of moral and religious truth. His method is comprehensive and elaborate at the same time. It combines the philosophical with the practical element in theology. It is not controversial, and this is a distinct advantage.

To some it may seem that in his effort to reduce the principles and doctrine which he sets forth, to results affecting the details of human every-day action, the author occasionally indulges in the style of casuistry with which some charge our moral theologians; but it is well to keep in mind the distinction between an excessive examination of details which obscure and complicate the recognized interdependence of moral obligations, and that careful discrimination which by the application of distinctive terms to distinct realities, illustrates doctrine through fact, and prevents one cause or motive to be taken as effecting that which is due another. Father Edmund O'Reilly in his theological essays (edited by Father Russell), gives a clear definition, quoted by our author, of the word "casuistry." "The real meaning of casuistry," says he, "is something innocent enough. It implies the study of *cases*—a useful and necessary study. But an invidious sense has been attached to the word, pretty much as has occurred with reference to the phrase *special pleading*, which denotes a most legitimate incident of English law proceedings, but is occasionally made to signify a sort of chicanery. Casuistry is taken for something similar. The notion involved in this secondary sense of casuistry is, either that all close investigation of moral questions as applied to practice is unnecessary and noxious, or that this investigation, though perhaps in itself useful, is commonly carried to excess and applied to bad purposes. Neither notion is correct. In the first place, it is clear that the moral obligations of men regard particular circumstances, and are affected and varied by particular circumstances. This is illustrated in courts of law, where independently of mere technicalities—which, however, are not to be despised—the most refined and complicated reasonings are employed about the substance of rights and wrongs. It is illustrated, too, from the views taken by experienced men of business and by ordinary citizens concerning fairness and unfairness, duties and liabilities. Now if the obligations exist, it cannot be superfluous to endeavor to ascertain them. Nor can this

be mischievous if the work is rightly gone about. There is no need of all men being theologians, as there is no need of all being lawyers; but it is most desirable that there should be some to whom recourse may be had in cases of difficulty. As to excess or perversion in *casuistical* pursuits, such faults may occasionally occur, but they are far from common and scarcely ever intentional. It is easy to laugh at what are called fine-drawn distinctions. But it so happens that those who indulge most in this ridicule know little of the subject, and are not commonly remarkable for their observance of obvious moral obligations."

The matter is admirably divided; each chapter is preceded by a brief and pointed analysis of topics, and, without superfluous wording, illustrated in a clear and comprehensive manner which thoroughly appreciates each separate phase of the subject. Let us take as an example the chapter treating of the Veneration of Relics. Having shown what is meant by relics, the author demonstrates that the veneration of the relics of Christ and the saints is lawful and useful. The practice is authorized by Scripture, by the action of the early Christians, by the traditions as expressed in the liturgy of all ages and nations, etc. Then follows an interesting paragraph showing the inconsistency of those who censure the practice of Catholics whilst they sustain as laudable the cult which sanctions for example the purchase of the arm-chair of Gustavus Vasa for 58,000 florins, of the coat of Charles XII. for $110,000, of one of Nelson's teeth for $3,650, of a lot of relics sold in 1870 from the study of Charles Dickens for $47,070 (as published in the *Athenæum*, July 16, 1870), etc. With this the author contrasts the value of certain relics, whose authenticity is well attested, from a religious point of view, and then deduces from these facts definite conclusions as to the reasonableness of the Catholic doctrine on this subject. He ends the chapter by stating three facts useful to be remembered as to the general principles and practices of the veneration of relics: "A dead man was brought to life by touching the bones of a prophet. (IV. Kings, xiii., 20.) A woman was cured by touching the hem of our Lord's garment. (St. Matt., ix. 20) An eye witness of the martyrdom of St. Ignatius, in the year 107, says: 'For only the more solid parts of the holy relics were left, which were carried to Antioch and wrapped in linen—a priceless treasure bequeathed to the Holy Church through the grace which was in the martyr.'"

This is certainly one of the best handbooks, for regular and sys-

tematic instruction upon the elements of Christian faith and practice, which we possess. To theological students it will prove a boon as explaining the principles of moral theology and as guiding them in the composition of practical sermons.

DI CHI SONO LE CHIESE? Studio giuridico.—P. Salvatore M. Brandi, S.J. *Civiltà Cattolica*, **246 Via di Ripetta. Roma, 1898. Pp. 40. Pr. Lir. 1.**

Students of Civil and Canon Law should take note of this pamphlet which is a clear, closely-reasoned demonstration of the inherent right of the Church to hold the property dedicated to divine worship as her exclusive domain in such way that the State cannot justly divert it from its established purpose. Although the occasion which has given rise to the discussion of this topic is to be found proximately in the present relations of Church and State in Italy, the question is of much wider import, and is likely to call for an answer in any country where the State asserts the sovereign right to control church property. Under such conditions the arguments of P. Brandi, well-known as the versatile defender of the Catholic cause, whose writings have done so much to shed light on mooted differences between Church and State, will prove of great value, all the more since they are stated in the sober and forcible manner of fundamental principles, banishing every suspicion of aggressiveness or polemics.

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ORDO DIVINI OFFICII RECITANDI MISSAEQUE CELEBRANDAE pro Clero Saeculari. 1898. New York, Cincinnati: Fr. Pustet & Co. Pp. 104.

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DER HAUSFREUND. Ill. Familien-Kalendar für 1898. Verlag d. Volksfreund, Buffalo, N. Y. Pp. 144.

THE LIFE AND TIMES OF CARDINAL WISEMAN. By Wilfrid Ward. In Two Volumes: Vol. I., Pp. 579; Vol. II., Pp. 656.—London, New York, Bombay: Longmans, Green & Co. 1897. Pr. $6.00.

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A VINDICATION OF THE BULL "APOSTOLICAE CURAE." A Letter on Anglican Orders. By the Cardinal Archbishop and Bishops of the Province of Westminster.—Longmans, Green & Co. New York, London and Bombay. 1898. Pp. 122. Pr. 35 cents.

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GETHSEMANE.[1]

A CRITICAL STUDY IN THE SYNOPTIC GOSPELS.

THE Hebrew word "Gethsemane," signifying oil-press, is the name given to an olive orchard situated a little to the east of the Valley of Kedron, at the foot of the Mount of Olives. St. Luke mentions the Mount of Olives as the place to which Jesus retired after the Last Supper, and where He appears to have spent the several nights since His return to Jerusalem.

When He reached Gethsemane our Saviour, according to St. Mark, takes with Him Peter, and James and John, who had been present at the awakening from the dead of the daughter of Jairus, and at the Transfiguration. He leaves the others at the entrance, to rest there, whilst He withdraws alone to pray. St. Luke does not mention who the Apostles that accompanied Jesus were. Perhaps the fact was not recorded in the primitive Gospel, and St. Mark may have had it from some other source. If St. Luke is silent about the anguish which overmastered Jesus, the reason can hardly be that he wished to shorten the account of the sad series of our Lord's sufferings, for he proceeds shortly afterward to relate the terrible struggle, in words more vivid and striking than those of the other Evangelists. If we except the verses

1 Matth., xxvi., 36-46; Mark, xiv., 32-42; Luke, xxii., 39-46.